

Annals of Wyoming

Vol. 16

January, 1944

No. 1

A HISTORICAL MAGAZINE



FORT BRIDGER, UTAH TERRITORY, 1858

Reproduced in reduced size from July 10, 1858, issue of Frank Leslie's Illustrated Newspaper. The line at the bottom reads "Fort Bridger, Utah Territory.—From a Sketch Made Expressly for 'Frank Leslie's Illustrated Newspaper.'"

Below this appeared the line "Fort Bridger, Utah Territory—

From Our Own Correspondent," who the author believes was undoubtedly Capt. Gove.

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THE WYOMING HISTORICAL DEPARTMENT
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The Wyoming State Historical Department invites the presentation of museum items, letters, diaries, family histories and manuscripts of Wyoming citizens. It welcomes the writings and observations of those familiar with important and significant events in the State's history.

In all ways the Department strives to present to the people of Wyoming and the Nation a true picture of the State. The historical magazine, ANNALS OF WYOMING, is one medium through which the Department seeks to gain this objective. All communications concerning the ANNALS should be addressed to Mary A. McGrath, Wyoming Historical Department, Cheyenne, Wyoming.

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Indian Disturbances

*In "Jackson Hole" Country, Wyoming, 1895 **



The following taken from the 1895 report of D. M. Browning, Commissioner of Indian Affairs, discredits alarming reports that Indians were guilty of depredations against the whites in Jackson Hole and Marysvale, western Wyoming.

Since my last annual report relative to complaints by whites in regard to Indians off their reservations hunting and "wantonly killing" game, serious trouble has occurred between the Bannock Indians and the whites in what is known as the "Jacksons Hole" country, Wyoming. A full report of this entire affair was made to the Department August 17, 1895, the substance of which is as follows, some of it being quoted from my report of last year:

For more than a year past complaints have been made to this office that Indians of the Shoshone Reservation, Wyo., were wantonly slaughtering elk and deer that had been driven down from the Rocky Mountains by the deep snows and severe weather. The agent of the Shoshone Agency was at once instructed to report the facts to this office, and to take such action as would entirely stop any wanton killing of game by those Indians in the future. He replied that, to his knowledge, no elk or deer had been aimlessly slaughtered by the Indians belonging to that agency, but that it was reported that roving parties of other Indians had killed game outside of the reservation; also that the Indians reported that white men were continually going on hunting expeditions through the country adjacent to their reservation, and killing game merely for the pleasure of hunting. Reports from other Indian agents in that country sustained this charge, the whites claiming they had as good right as the Indians to kill game; and the State officers, in some instances, stating that they did not feel justified in prosecuting white men for violating State game laws, while the Indians were allowed to hunt.

Subsequently more complaints were received from Idaho, Wyoming, and Montana that parties of Indians were continually leaving their reservations with passes from their agents to make social and friendly visits to other reservations; that

*U. S. Cong. Doc. 54th Cong., 1st Sess., H. R. Doc. 5, pp 60-80, Serial 3382.

en route they slaughtered game in large quantities merely for the sake of killing and for the hides, particularly in the country adjacent to the Yellowstone National Park and the Shoshone Reservation, Wyo., and that if such depredations were allowed to continue it would probably result in a serious conflict between the white settlers and the Indians.

In view of the above complaints, the office, on May 22, 1894, addressed a letter to the Indian agents in Idaho, Montana, Wyoming, Utah, and the Dakotas, instructing them to call together in council the Indians of their respective agencies and again put before them the instructions contained in office circular of November 1, 1889, and to notify them that the restrictions as to hunting contained in that circular must be strictly complied with; also that should they obtain passes ostensibly for making friendly visits to other reservations and then engage in hunting while en route, their passes would be recalled by this office and they would not be allowed to leave their reservation again.

The circular referred to reads as follows:

THE UNITED STATES INDIAN AGENTS:

“Frequent complaints have been made to this Department that Indians are in the habit of leaving their reservations for the purpose of hunting; that they slaughter game in large quantities in violation of the laws of the State or Territory in which they reside, and that in many instances large numbers of wild animals are killed simply for their hides.

“In some cases Indians, by treaty stipulations, have the guaranteed right to hunt, upon specified conditions outside their existing reservations. The Secretary of the Interior has decided that the privilege of hunting under such treaty provisions is the right to merely kill such game as may be necessary to supply the needs of the Indians, and that the slaughter of wild animals in vast numbers for the hides only and the abandonment of the carcasses without attempting to make use of them, is as much a violation of the treaty as an absolute prohibition on the part of the United States against the exercise of such privilege would be. This fact should be impressed upon the minds of the Indians who have such treaty rights, and they will be given to understand that the wanton destruction of game will not be permitted. And those not having the reserved treaty privileges of hunting outside of their existing reservation should be warned against leaving their reservation for hunting, as they are liable to arrest and prosecution for violation of the laws of the State or Territory in which offenses may be committed.

“In view of the settlement of the country and the consequent disappearance of the game, the time has long since gone by when the Indians can live by the chase. They should abandon their idle and nomadic ways and endeavor to cultivate habits of industry, and adopt civilized pursuits to secure the means for self-support.”

All the agents addressed reported that they had complied with office instructions, and had taken extra precautions to prevent the Indians under their charge from wantonly killing game or leaving their reservations for such a purpose.

Captain Ray, U. S. A., acting agent to the Shoshone Agency, in his report of May 29, 1894, relative to the above instructions, stated as follows:

“I find that article 4 of the treaty with the Eastern Band of the Shoshone Indians, made July 3, 1868, gives the Indians the right to hunt on all the unoccupied lands of the United States, and they have certainly availed themselves of the privilege, but not a single case of wanton destruction of wild animals has ever come to my knowledge, nor will I ever permit such practice.

“In connection with this matter I wish to call attention to the fact that the present ration for Indians on this reservation (one-half pound of flour and three-fourths pound beef, net) is not sufficient to ward off the pangs of hunger, and they must supplement this allowance in some way or suffer. In absence of paid employment, which will enable them to purchase food, they will resort to desperate methods before they will go hungry. Unless they receive sufficient food on the reservation, no power can prevent them from killing game or cattle.”

Complaints, however, continued to be made by the governor of Wyoming, the prosecuting attorney of Fremont County, and many others from the region south of the Yellowstone National Park. These complaints were referred to the respective Indian agents for their information and with instructions to be especially careful to prevent any wanton destruction of game by Indians in their charge. From some of their reports it is clear that the Indians had not been justly complained of, and that in many instances the charges against them were either altogether false or grossly exaggerated, sometimes willfully so. For instance, Captain Ray, U. S. A., the then acting Indian agent of the Shoshone Agency, reported that hordes of white hunters infested the country (Yellowstone Park region) entirely unmolested.

A full report as to these complaints was made in letter of November 8, 1894, of which the concluding paragraphs were as follows:

“It is my intention to write again to the agents of the Fort Hall (Idaho) and Wind River (Wyoming) agencies, di-

recting them to be watchful to the end that their Indians give no cause for complaint in this matter; but I think it would be well if some attention were paid to the foreign and native tourists and others, who go into that country to hunt without let or hindrance.

"It is a well-known and admitted fact that the extermination of the buffalo and other large game in the West was the work of the whites, principally, and not the Indians, and even now the well-supplied curio shops and taxidermists obtain their supply of heads, antlers, horns, etc., entirely from the former, or very nearly so, at least."

No further complaints were received until in the latter part of June last, when Governor W. A. Richards, of Wyoming, addressed a letter to the Department stating that he was informed that Indians were then hunting and killing large game in the northern part of Uinta County and the western part of Fremont County, Wyo.; that most of these Indians were from Idaho, some, however, being from the Shoshone Reservation, Wyo. He inclosed a copy of the State of Wyoming Fish and Game Laws, 1895, and requested that action be taken which would restrict Indians from leaving their respective reservations for the purpose of hunting in Wyoming.

July 17, 1895, Governor W. A. Richards telegraphed the Department as follows:

"Have just received the following telegram, dated Marysvale, Wyo., July 15, via Market Lake, Idaho, July 16:

"Nine Indians arrested, one killed, others escaped. Many Indians reported here; threaten lives and property. Settlers are moving families away. Want protection immediately. Action on your part is absolutely necessary.

"Frank H. Rhodes,

"Justice of the Peace.

"Wm. Manning, Constable.

(And three others.)

"I have received other advices by mail representing situation as serious. The Indians are Bannocks from Fort Hall, Idaho. Arrested for the illegal and wanton killing of game. My letter to you dated June 17 relates to the matter. Can you take immediate action for the protection of our settlers?"

This office, on July 17, 1895, therefore telegraphed Teter, Indian agent at Fort Hall, Idaho, as follows:

"Governor Richards, of Wyoming, telegraphs this date that nine Bannock Indians belonging to Fort Hall Agency were arrested and one killed on or about 15th instant, at Marysvale, Uinta County, Wyo., for wantonly killing game; that many other Indians are there threatening lives and property, and settlers are moving families away. Proceed at once

to scene of trouble and do all in your power to prevent further disturbance and to return absent Indians to reservation. If troops are needed to protect settlers or prevent open conflict, advise immediately. If you have any information now telegraph same to me before starting."

The same date the following telegram was sent to the acting Indian agent, Shoshone Agency:

"Serious trouble reported in neighborhood of Marysville, Uinta County, Wyo. Nine Bannock Indians from Fort Hall Agency arrested and one killed for violation of game laws. Settlers said to be fleeing for their lives. If any of your Indians are absent in that region have them returned to reservation at once. Have ordered Fort Hall agent to scene of trouble. Cooperate with him to fullest extent of your ability in every possible way."

The agent of Fort Hall Agency replied by telegraph the next day as follows:

"Will state on 13th instant, upon receipt information Indians were killing game unlawfully in Wyoming. I sent the entire police force to Wyoming to bring back Indians belonging to this reservation. Captain Indian police sent back policeman, who arrived this day, stating that one Indian killed by settlers. Other sources, several Indians killed. I leave for scene of trouble at once."

The same day the Shoshone agent also telegraphed:

"Police sent days ago to bring absent Indians back to reservation. Only one Indian reported absent now. Reports indicate that none of my Indians were concerned in Marysville trouble. Will act for Fort Hall agent whenever possible."

Then followed the sensational and alarming newspaper reports of an Indian outbreak in the Jackson Hole country: the Bannocks on the warpath; the killing of many settlers by the savages; homes burned to the ground; whites fleeing for their lives; and the appeal to the Government that United States troops be hurried to the seat of war to stop the fiendish work of devastation and murder of whites by the redskins.

July 23 the Fort Hall agent telegraphed this office as follows:

"Have investigated trouble between Indians and settlers in Wyoming, and will advise troops be sent there immediately to protect law-abiding settlers; lawless element among settlers being determined to come into conflict with Indians. Settlers have killed from four to seven Indians, which has incensed Indians, who have gathered to number of 200 to 300 near Fall River in Uinta County and refuse to return to reservation. I find Bannock Indians have killed game unlawfully according to laws of Wyoming, though not unlawfully according to treaty of Bannock Indians with United States, usurping prerogative

of settlers in that respect, which caused the trouble, and nothing but intervention of soldiers will settle difficulty and save lives of innocent persons and prevent destruction of property."

This office replied as follows:

"Send word to absent Indians as coming direct from me that I want them to return peaceably to their reservation before the soldiers arrive. Say that I send this message to them as their friend and urge prompt compliance, knowing it is for their best interest and welfare."

Agent Teter carried out the above instructions, and July 28 telegraphed the following:

"On 27th instant I met Sheriff Hawley near Rexburg, returning from Jacksons Hole, where he had been sent to ascertain if settlers have been killed by Indians. Hawley states settlers have not been molested by Indians. Indians are supposed to be in camp 40 miles from settlements in practically impregnable position."

The Secretary of War on July 24, 1895, upon Department request for military aid, ordered Brigadier-General Coppinger, commanding Department of the Platte, to proceed at once to the scene of disturbance in Wyoming and to order such movement of troops as might be necessary to prevent a conflict between the Indians and settlers and to remove the Indians to their proper reservations.

Governor Richards, on July 31, telegraphed the following:

"Reliable information that 200 Indians supposed to be Utes were seen yesterday near South Pass, Fremont County; also 47 Sioux on Bad Water Creek, same county; all were mounted, armed, and without women or children. The people of Fremont County are under arms and wire me for assistance. Can not these and all other Indians in Wyoming be recalled to their reservations?"

This office at once telegraphed the agents of Pine Ridge (S. Dak.), Shoshone (Wyoming), Lemhi (Idaho), and Uintah and Ouray (Utah) agencies to have absent Indians returned to their respective reservations. The Shoshone and Uintah and Ouray agents replied that none of their Indians were absent, and that no trouble was feared.

August 2, 1895, Agent Teter reported by telegram as follows:

"I have returned from Jacksons Hole. Everything quiet there. I will recommend that you request the Department of Justice to investigate killing of peaceable Indians by lawless settlers in Uinta County, Wyo., with a view to the prosecution of the guilty parties."

On the following day he further telegraphed:

"All Indians absent from reservation have returned. Had big council. Requested me to telegraph you their hearts felt

good. Had not harmed a white man, and would start haying, leaving their grievances to the justice of the white man."

To the latter message this office replied August 7 as follows:

"Your telegram August 3 received. Exceedingly gratifying to me and to all friends of the Indians everywhere that they have returned peaceably to their reservation and gone to work, having committed no acts of violence against the persons or property of the whites, which will certainly be to their lasting credit. Tell them so, and that office will do all in its power to have faithful investigation of the killing of the Indians and to see that justice is done. Am looking for full report from you giving details of the whole affair."

I now quote in full the official reports that have reached this office giving details of the trouble, as follows:

Report, dated July 20, 1895, from Capt. R. H. Wilson, U. S. A., acting Indian agent, Shoshone Agency, Wyo.:

"In regard to the recent disturbances near Marysvale, Wyo., resulting from Indians killing game out of season, I have the honor to report that the Indian police sent to that point to bring back absentees have returned without having been able to effect anything of importance. They report that two of my Indians have been found guilty of the offense in question, fined \$75 each and costs, and in default of payment of their fines have been taken to Evanston to serve out sentences, of what duration I am not informed.

"Their horses and equipments were seized to satisfy costs. No other Indians are now absent from this reservation without authority, and I do not anticipate any further trouble in this respect. The scene of the disturbance is so remote and inaccessible that it is difficult to obtain reliable reports in regard to it, but I am inclined to believe that the whole matter has been greatly exaggerated. I have been trying to instruct my Indians in the provisions of the game laws, of which they have been entirely ignorant. They have hitherto considered that the provisions of their treaty give them the right to hunt on unoccupied lands whenever they please. I shall, however, in future try to make them comply with the law in regard to killing game in Wyoming, without regard to their treaty, as I consider that this course will be less likely to cause a recurrence of similar trouble."

Report, dated July 20, 1895, addressed to Adjutant-General, U. S. A., from Capt. J. T. Van Orsdale, U. S. A., late acting Indian agent, Fort Hall Agency, Idaho:

"I have the honor to make the following report bearing upon the account (newspaper) of the arrest and killing of Indians in Jacksons Hole country, Wyoming, by citizens of said State:

“In the treaty made with the Bannocks and Shoshones at Fort Bridger in 1867 or 1868 they were granted the privilege of hunting on any unoccupied public land. Being short-rationed and far from self-supporting according to the white man's methods, they simply follow their custom and hunt for the purpose of obtaining sustenance. It would seem that the killing of Indians under the circumstances is nothing more or less than murder. They are not citizens of the State, and are entitled to the protection of the General Government so far as the rights and privileges granted by treaty are concerned.

“While acting agent at Fort Hall Agency, Idaho, I had occasion to look into this matter, and while trying to prevent hunting by Indians during the season unauthorized by State law I took the opportunity to let those making complaints know that the Indians were within treaty rights, and I believe the fact is well known and understood. Further, I believe there is no ‘wanton’ slaughter of game by these Indians, while it is a notorious fact that hundreds of animals are killed by white men for nothing more than heads and horns. There are men in that country who make it a business to pilot hunting parties from the East and the Old Country which not only slaughter elk but capture and ship them out of the country. The killing of game by Indians interferes with their business. Another fact about the Jacksons Hole Basin, it is inaccessible in winter on account of deep snow on the mountains, and game can only be got at by outsiders during the summer or early autumn. If it be the desire of the Government to restrain the Indians and cause them to conform to state laws, steps looking to the change or modification of treaty would seem to be in order. Indians can hardly be expected to submit more quietly to the killing of their people while engaged in the occupation which they think they have a right to follow than white men, and a failure by the Government to take proper action is liable to result in serious loss of life and property.

“Having obtained knowledge of affairs in the manner indicated I believe it a duty to make this report.”

(First indorsement.)

OFFICE OF THE POST COMMANDER,
Fort Logan, Colo., July 23, 1895.

Respectfully forwarded.

I have known the Shoshone Indians since 1873, when I was at their agency, and had twenty-five of them for scouts on a trip I made from Camp Brown through the Yellowstone Park.

I heartily concur in what Captain Van Orsdale has written. They are among the best of all Indians I have known.

HENRY E. NOYES,

Lieutenant-Colonel Second Cavalry, Commanding Post.

(Second indorsement.)

Headquarters Department of the Colorado,

Denver, Colo., July 25, 1895.

Respectfully forwarded to the Adjutant-General of the Army.

The writer has had exceptional opportunity to familiarize himself with the Bannock and Shoshone Indians.

From my knowledge of these Indians in 1872, and again in 1879, I feel an interest in this matter, and hope that Captain Van Orsdale's recommendations and views may be favorably considered.

FRANK WHEATON,

Brigadier-General, Commanding.

Report, dated July 24, 1895, from Thomas B. Teter, United States Indian agent of Fort Hall Agency, Idaho:

"I have the honor to inform you that upon receipt of telegraphic instructions of the 17th instant I immediately proceeded to Marysvale, Uinta County, Wyo., and report as follows upon the condition of affairs I found existing between settlers and Indians from this and other reservations hunting in that vicinity:

"I ascertained the number of Indians in the vicinity of Marysvale to be from 200 to 300, about 50 of whom were Bannock Indians from this reservation, all encamped in Hobacks Canyon, or near Fall River, at a distance of 35 miles southeast from Marysvale, in the Jackson Hole country.

"The Indians have for many years gone to the Jackson Hole country in search of big game, and it is only since the business of guiding tourists in search of big game has become so remunerative that objection has been made to their hunting in Wyoming.

"The treaty of the Bannock and Shoshone Indians with the United States gives said Indians the right to hunt on the unoccupied lands of the United States so long as game may be found thereon and so long as peace subsists among the whites and Indians on the borders of the hunting districts, and the simple Indian mind can not grasp the idea that the State of Wyoming can prevent the fulfillment by the United States of the treaty with them.

"I ascertained that settlers last year stated that if Indians returned for big game this season they would organize and

wipe them out, the settlers looking upon big game as their exclusive property and considering every elk killed by an Indian a source of so much revenue lost to them. From reliable informants I have no hesitation in stating that for every elk killed unlawfully by Indians two are killed unlawfully by settlers (in this connection I will state I was fed upon fresh-killed elk meat during my entire stay in the Jackson Hole country), and were these Indians citizens and voters in Wyoming enjoying similar privileges to settlers, their killing game unlawfully would never be questioned.

"There are a few good citizens ranching in the Jackson Hole country, the majority of the citizens being men 'who have left their country for their country's good,' the Jackson Hole country being recognized in this country as the place of refuge for outlaws of every description from Wyoming, Idaho, and adjacent States.

"The Indians killed by these settlers were practically massacred. The Indians, to the number of 16, having been arrested and disarmed, were taken before a justice of the peace, naturally in sympathy with settlers, and fined \$75 each. The Indians being unable to pay the fine were herded like sheep and treated in a manner calculated to arouse their resentment, and which would not be tolerated by white men similarly situated. One batch, disarmed, were being driven by a body of armed settlers, and in passing over a trail where the Indians had been accustomed to ride in freedom, made a break for liberty, whereupon the guards opened fire at once and killed from four to seven Indians, going on the principle 'a dead Indian is a good Indian.'

"The men who committed this crime should be prosecuted to the fullest extent of the law and receive the severest penalty the law can give, not only as an example to other lawless settlers, but as a preventive of future disturbances between settlers and Indians, for if justice is not done the Indians in this case the Indians will seek revenge and a continuous border warfare will be the result.

"A certain element among settlers in Jackson Hole country seems determined to drive the Indians from that section at whatever cost, not recognizing any law themselves but that which serves their interests; and when I left Marysvale 75 of these men had organized, not for protection, but to attack the Indians. I warned them to desist, and requested all good citizens to use their influence to prevent this attack, stating I would advise the Department immediately of the true situation.

"I, upon reaching telegraphic communication, advised you to send troops to scene of trouble at once, considering if law-

less settlers carried out their intention of attacking Indians innocent persons would suffer—Indians as well as whites—and much property be destroyed; considering also that the ill feeling existing between settlers and Indians could not be allayed without the presence of troops.

“I consider the Jackson Hole affair a preconcerted scheme, on the part of a certain element among the settlers, to adopt measures to induce the Department to prevent Indians from revisiting Jackson Hole country; settlers having informed me, while I was in Marysvale, that Indians visiting Jackson Hole country kept out hunting parties of tourists, which resulted in a loss to them of many dollars; a settler stating to me he had made \$800 last season guiding hunting parties, and that the continual hunting by Indians in Jackson Hole country would ruin his occupation.”

Report, dated August 7, 1895, from Agent Teter:

“I have the honor to respectfully submit the Indian version of the killing of Indians by settlers in Uinta County, Wyo., on or about the 15th ultimo, and other matter in connection with the affair.

“A hunting party of nine Indians, with their families and camp equipage, encamped on the banks of a stream in Uinta County, Wyo., were surrounded by an armed body of settlers, numbering twenty-seven, who demanded of the Indians their arms. The Indians, upon surrendering their arms, were separated into two parties; the males, under a guard, were placed in the advance, while their families, pack animals, etc., also guarded, were placed in the rear about 50 yards.

“The Indians, roughly treated, were driven throughout the day they knew not where, and as evening closed in the party approached a dense wood, upon which the leader of the settlers spoke to his men, and they examined their arms, loading all empty chambers. The Indian women and children, observing this action, commenced wailing, thinking the Indian men were to be killed, which idea prevailed among the Indian men, who passed the word one to another to run when the woods were reached.

“Upon reaching the woods the Indians, concluding their last hour had come, made a break for liberty; whereupon the settlers without warning opened fire, the Indians seeing two of their number drop from their horses. During the melee the Indian women and children scattered in every direction, abandoning their pack animals.

“The following morning the Indians, having gathered together, found they were minus two men and two papooses, and revisiting the scene of the shooting, could not find their people or their belongings, upon which they returned to the

reservation, very fortunately meeting with other Indians who provided them with food.

"One of the two men supposed to have been killed was recently discovered by scouts. He had been shot through the body from the back, the ball lodging in his left forearm, and he had crawled to a point several miles distant from the place of the shooting, subsisting for seventeen days upon the food which he had in his wallet at the time he was shot.

"The body of the dead Indian was discovered in the woods near the place of the shooting, and, upon my recent visit to Jacksons Hole, Indian scouts were sent to bury the body. The Indians state of the man killed, an old man, that his horse's bridle was seized by a settler whilst another settler shot him down.

"Of the two papooses lost one was found alive and taken to Fort Washakie by some Mormons; the other papoose, being only six months old, has undoubtedly perished.

"A man named Smith reports having killed two Indians in Jacksons Hole. The truth of this report I was not able to ascertain, the settlers evincing an intensely bitter feeling toward me, threats of hanging me, etc., being made, and refusing to give me the desired information.

"General Coppinger stated he would thoroughly investigate the Smith affair before he left Jacksons Hole, for me.

"I have the names of the 27 settlers who were engaged in the killing of the 15th instant, and I will respectfully recommend that this affair be investigated by the Department of Justice with a view to the prosecution of the guilty parties.

"I have recently given much thought tending to a permanent solution of this vexed Indian question, and can reach no definite conclusion which would not require Congressional action.

"The governor of Wyoming assuring settlers that they would be backed by him in their efforts to drive the Indians out and in keeping the Indians out of Wyoming, in my opinion, renders some decisive action imperatively necessary before the troops leave Jacksons Hole. The Indians, considering their treaty rights give to them the privilege of hunting in certain sections of Wyoming, will go hunting after harvest with or without my consent."

No report has yet been received from the authorities of the State of Wyoming as to this matter, but for the purposes of history I deem it proper to quote at length an article in New York Evening Post of August 2, which purports to give a true account of the killing, as follows:

"It turns out as we had anticipated. At all events a war correspondent of the World, who has penetrated to the seat of

hostilities, so reports. He has interviewed a number of people at Jacksons Hole, including the man who did the shooting or ordered it to be done. From these sources of information it is learned that on the 7th of June a report came in that certain Bannocks were shooting elk in violation of the game laws of Wyoming. A warrant was issued for their arrest and placed in the hands of Constable William Manning, who selected twelve deputies and started out to find the trespassers. They found one Indian, named George, with several green hides in his possession. He was brought in, put on trial, convicted, and fined \$15. The fine was paid, and the hides were confiscated.

"On the 24th of June news came of further hunting by Indians. Another expedition was fitted out for their arrest, but they were found to be in such large numbers that it was deemed imprudent to attempt to bring them in. The constable and his men, however, moved freely among them and ordered them to desist, but according to the report which they brought back the trespassers were saucy and said they would hunt as much as they pleased.

"Another attempt to arrest them was made on the 10th of July, when Manning started out with twenty-five deputies. They surprised an Indian camp at Fall River basin and arrested the male members, ten in number. All the parties, constables and Indians, and also the squaws, were mounted. The Indians were disarmed and placed in such a way that each one was preceded and followed by an armed white man, while armed white men rode alongside at certain intervals. Manning says that he had reason to think that the prisoners would try to escape, and that he gave orders if they did so to shoot their horses. Being asked if he gave orders to shoot the horses but not the Indians, he said 'No; I said nothing about the Indians themselves; I simply said to shoot the horses first. The men understood that they had a right to shoot the Indians if there was no other means of preventing an escape.' Then the following colloquy took place, which puts the matter in a perfectly clear light:

"Do I understand that these Indians were arrested, charged with an offense the maximum penalty for which is a fine of \$10 and three months' imprisonment; that the men had not been tried, and that you consider that, in the event of their attempting to escape from your custody, you had the right to kill them?

"I would consider that my right, particularly with Indians, they being savages and likely to do harm themselves and to resist with arms. I believe I would have the right, considering this, to order the men to shoot them.

"But I understand you to say you had satisfied yourself that they had no arms upon them?"

"That is correct as near as we could determine as to their having arms.

"The sequel is already known. An attempt was made to escape. The Indians were shot, some killed, some wounded, but no horse was hurt; that would have been a wanton waste of property.

"This is the white man's side of the case. The Indians have not been heard yet, except that one of them who was wounded tried to conceal the fact lest he should be put to death also. If the facts are correctly reported this was a case of massacre with premeditation. We trust that all the means at the disposal of the Indian Rights Association as well as the means at the disposal of the Government will be employed to bring the assassins to justice. As to the 'Bannock War,' there is no such thing. The Bannocks are only a handful, and they have lived at peace with the whites for seventeen years. The survivors of them are only anxious to save their own lives, and well they may be, considering how the white man's law is executed in Wyoming."

From unofficial sources it is known that the Indians returned to their reservation before the United States troops reached the "scene of devastation."

As the truth became known, there came a rapid change of public sentiment in favor of the Indians, who were found to be the wronged parties, and against the lawless whites who had done all the killing that occurred at Jacksons Hole. Instead of the Bannocks declaring war, massacring whites, burning homes, with settlers fleeing for their lives, etc., they have, in the opinion of this office, been made the victims of a planned Indian outbreak by the lawless whites infesting the Jacksons Hole country with the idea of causing their extermination or their removal from that neighborhood. The Bannocks while peaceably hunting in that country were arrested by whites, who disarmed them and killed or shot several while they were trying to escape. Much to the credit of the incensed Indians, they returned peaceably to their reservation without retaliating in any manner upon the whites. Not a white person was harmed, nor did they indulge in any act of violence toward the settlers.

The newspapers throughout the country and many prominent and philanthropic persons have denounced this killing of Indians by the whites in Jacksons Hole as an outrage and murder which should not be allowed to go unpunished, and they have urged that a searching official investigation be made by the government of this entire affair, to the end that the guilty whites may be brought to justice.

The Bannocks themselves have repeatedly been promised that their wrongs should be thoroughly investigated and justice done them by the Government, and doubtless these assurances have had much to do in keeping them quiet thus far. There are, however, some of them that are eager for revenge upon the whites for the killing of their people, as is shown by the following telegram of August 14 from Agent Teter:

"Certain Indians state they will go to Jacksons Hole for purpose of hunting as soon as haying season is over, claiming they will starve during the coming winter if they do not kill game at this season for winter subsistence, and that they have a right to hunt in Jacksons Hole. In my opinion it is absolutely necessary to keep the Indians on the reservation even if they are justified in going to Jacksons Hole, as they seem determined to have revenge upon settlers. Will go prepared for that purpose, and are discussing plans to that end.

"The best solution of this affair I can present is to enter into the contract for the big ditch on the reservation as soon as possible, which will give the Indians employment and an opportunity to earn money with which to provide for themselves through the winter. The Indians must be given employment or increased rations, as they cannot subsist without food obtained from hunting until water is put on the reservation, when they will be practically self-supporting.

"Will request you to wire me what I can state to the Indians relative to increased rations or employment should they remain on the reservation."

In reply this office telegraphed the agent, August 16, the following:

"Tell the Indians I do not want them to go off the reservation hunting this summer or fall, but want them to remain at home and continue their work, and if they will do this, I will increase their rations when needed and called for by you to keep them through the winter.

"I also want to have work on Idaho Canal begun before long so that Indians can get employment and be paid for it. The friends of the Indians all over the country are watching the conduct of the Indians with deep interest and are anxious that they comply with my wishes and plans, knowing that I will do what is best for them. If they break away from me and do not permit me to manage for them, they will lose their friends and the mistake will be disastrous to them."

In reply to the above telegram the agent reported, August 20, as follows:

"In reply to your telegram of the 16th instant relative to increasing the Indians' rations and giving them employment, I have the honor to respectfully recommend that the Indians

of this agency be given increased rations at once and employment as soon as possible.

"The Indians at present receive the following rations weekly: 2,880 pounds of flour; 4,800 pounds beef, gross, or 2,300 pounds beef, net; 150 pounds sugar; 75 pounds coffee.

"According to the census taken for the fiscal year ending June 30, 1895, the Indians on this reservation number 1,440, and I will respectfully recommend the above table of rations be increased as follows, on the basis of weekly issues: 5,040 pounds flour, or $3\frac{1}{2}$ pounds per individual; 14,400 pounds beef, gross, or about 5 pounds net, per individual; 480 pounds sugar, or one-third pound per individual; 240 pounds coffee, or one-sixth pound per individual.

"Should the recommended increase in rations meet with your approval, I will respectfully request you to telegraph me authority to issue same."

This office, in reply to the agent's request, sent him the following telegram, August 31:

"Issue rations as requested in your letter of 20th. Report how long increase is to continue, how long present supply will last at increased rate. Estimate for what additional supply will be needed."

The agent, as requested, made the desired estimate for the additional supply of rations on September 3, and was advised by this office September 12, 1895, as follows:

"You are advised that the superintendent of the New York Indian warehouse has this day been directed to order, under existing contracts, the following articles (called for in your estimate of 3rd instant), and to ship them to your agency (for issue to Indians during current fiscal year) at the earliest practical date, viz: 13,000 pounds sugar; 6,500 pounds coffee; 540 pounds baking powder, in one-quarter pound tins.

"The Honorable Secretary of the Interior has also been requested to authorize you to publish an advertisement inviting proposals for furnishing and delivering the gross beef and flour called for in said estimate, and when said authority shall have been granted you, you will be duly notified.

"The gross beef and flour contracts will be increased 25 per cent, as requested, and you will be informed when contractors are notified."

The authority above referred to was granted in Department letter of September 14, and the agent duly notified of the same September 17.

To briefly summarize the facts in the case so far as is shown by the official reports that have reached this office: The Bannock and Shoshone Indians have been in the habit for many years past of going to the Jackson Hole country to hunt game for subsistence. They have been guaranteed by

treaty with the United States the right to hunt upon the unoccupied lands of the United States so long as game may be found thereon and so long as peace subsists among the whites and Indians on the borders of the hunting districts. The settlers of the country bordering this game region have looked upon the said hunting grounds as their own exclusive property, and for the past two years have been steadily complaining through official and unofficial sources to this office to the end that the Indians might be kept out. The Indians, through their respective agents, have been repeatedly warned against the wanton killing of game. Further, the settlers have claimed that the Indians hunted and killed game in violation of the game laws of the State of Wyoming; and it would appear that they had at last organized a scheme to drive the Indians from these hunting grounds regardless of consequences.

The first serious affair occurred on or about July 15, 1895, when a hunting party of nine Bannocks with their families, encamped on the banks of a stream in Uinta County, Wyo., were surrounded by an armed body of settlers, numbering twenty-seven, who disarmed all of the Indians and "drove" them all day in single file closely guarded. In the evening the Indians, who had been roughly treated during the day, became frightened, and supposing they were all to be shot, made a dash for their liberty. The settlers without any warning fired upon them, killing one outright and badly wounding another. Two papooses were lost, one of which was afterwards found alive, the other no doubt having perished, or been killed.

The Shoshone and Bannock Indians have the right under their treaty¹ of July 3, 1868 (15 Stats., 673), to hunt on unoccupied lands of the United States, the fourth article of which treaty provides as follows:

"The Indians herein named agree, when the agency house and other buildings shall be constructed on their reservations

1. The language used in treaties with the Indians should never be construed to their prejudice. * * * How the words of the treaty were understood by these unlettered people rather than their critical meaning should form the rule of construction. (*Worcester v. Georgia*, 6 Peters, 515.)

A treaty is the supreme law of the land, binding upon the courts as much as an act of Congress. (*United States v. Peggy*, 5 U. S., 103; *Strother v. Lucas*, 12 Peters, 410.)

In this respect a treaty with an Indian tribe, or with two or more Indian tribes, stands with treaties with foreign countries. A treaty with an Indian tribe is the supreme law of the land. Courts can not annul its effect or operation. (*Fellows v. Blacksmith*, 19 How., 366.)

Every treaty made by the authority of the United States is superior to the constitution and laws of any individual State. If a law of a State is contrary to a treaty it is void. (*Ware v. Hylton*, 3 Dall., 199; *Hauenstein v. Lynham*, 100 U. S., 483.)

named, they will make said reservations their permanent home and they will make no permanent settlement elsewhere; but they shall have the right to hunt on the unoccupied lands of the United States so long as game may be found thereon and so long as peace subsists among the whites and Indians on the borders of the hunting districts."

The Shoshone and Bannock Indians knew nothing about what is known now in the game laws of the various States as a "closed season," during which hunting is prohibited by law. Their treaty must be construed therefore as to mean that these Indians should have the right to hunt on unoccupied lands of the United States where game may be found and at any and all times of the year. The laws of the State of Wyoming which prohibit hunting within the State for certain kinds of game during certain months must be construed in the light of the treaty granting rights to these Indians to hunt on the unoccupied lands within the State, so far as they apply to the Shoshone and Bannock Indians. It is not competent for the State to pass any law which would modify, limit, or in any way abridge the right of the Indians to hunt as guaranteed by the treaty. The fact, as shown in the official correspondence above quoted, that the Bannock Indians, against whom complaint was made and against whom the people of Jacksons Hole country have been so threatening in their demonstrations, were encamped 35 or 40 miles from any settlement in a wild and almost impenetrable country would indicate that this section of the country was unoccupied lands of the United States, and that the Indians therefore had a perfect right, and violated no law, in being there to hunt game for subsistence.

It is shown by the official reports from Agent Teter and army officers that the Bannock Indians were not engaged in a wanton killing of game, but that they were in that section of country for the purpose of hunting for subsistence and to prepare against the approaching winter. This they had a perfect right to do, and the action of the authorities of Wyoming in arresting some of them under provisions of the laws of that State and imposing fines under said laws was unlawful, as was held by the Supreme Court in *Hauenstein v. Lynham*: "If the law of a State is contrary to a treaty it is void." Therefore for the purpose to which the laws of Wyoming were applied by the authorities of that State, viz, to prohibit the Bannock Indians from hunting on unoccupied lands of the United States therein and to punish them therefor, the game laws of the State of Wyoming are absolutely null and void, and the authorities of the State took this action on their own responsibility and were trespassers on the rights of the Indians to that extent. (See *Poindexter v. Greenhow*, Virginia coupon cases, 114 U. S., 270.) The fines imposed upon them,

the confiscation of their property, and the imprisonment of some are all illegal, for which the United States would seem to be responsible to the Indians under article 1 of the said treaty of 1868, which provides, among other things, as follows:

If bad among the whites, or any other people subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent and forwarded to the Commissioner of Indian Affairs at Washington City, proceed at once to cause the offenders to be arrested and punished according to the laws of the United States, and also reimburse the injured person for the loss sustained.

If, as seems to me to be the case under the decisions of the Supreme Court, the laws of the State of Wyoming under which these arrests were made, and fines, confiscations, and imprisonments imposed, are void for the purpose, the acts of the authorities of Wyoming in this regard are to be construed in the same light as if they had been the acts of persons not holding any official relation to the government of the State, and as wrongs committed upon the person and property of the Indians by the people subject to the jurisdiction of the United States, and therefore this Government might be held responsible under the treaty.

It appears from reports that the Indians not only suffered arrests, fines, loss of their property, and imprisonment, but that, at least, one of them lost his life at the hands of these white people, alleged officers of the State of Wyoming; another was wounded and one child was lost, probably perished in the forests. The killing of this Indian can not be held to be anything less than murder, for it appears from the most reliable accounts received in this office that the so-called deputy sheriffs had, in anticipation of an attempt to escape, agreed between them to shoot their prisoners, although they had been arrested and charged with simply a misdemeanor punishable by a small fine under the laws of the State. The Indians say that when they made their break for liberty they were led to believe by the action of their captors that they were preparing to kill them, and it seems from the newspaper clipping above quoted from the New York Evening Post, that the apprehensions of the Indians were not without some ground, for the officer in charge of the deputies stated that he considered that he had a right to kill an Indian who had been arrested for an offense the maximum penalty for which is a fine of \$10 and three months' imprisonment if such Indian attempted to escape, even though he had not been tried.

Recommendation was made in my report of August 17, 1895, that the entire matter be referred to the Department of Justice with the request that a thorough and exhaustive in-

vesigation be made into the affair with the view to taking such action as might be deemed expedient and lawful for the punishment of the parties guilty of wronging the Indians.

The case was submitted to the Attorney-General of the United States, who stated, August 23 last, that he had telegraphed the United States attorney for Wyoming, directing him to apply for writs of habeas corpus in case any Indians were confined at Evanston by the State authorities; and that he was not aware of any law under which the Department of Justice could assist in obtaining redress for the Indians who had paid their fines, "or in punishing, civilly or criminally, the persons who have done them injury, even the murderers."

August 30, 1895, the Acting Attorney-General stated that he was informed by the United States attorney for the district of Wyoming August 23, 1895, that he had been unable to learn that any Indians were then under confinement for alleged violation of Wyoming game laws, and that the Bannock Indians who had been imprisoned had been allowed to escape by the authorities at Marysvale. In regard to a report concerning the outrages on the Indians made to him by one of the Government employees in Wyoming, whom he regarded as capable, observant, and trustworthy, the district attorney said:

"From the statements made by him, and from other sources of information, I have no doubt whatever that the killing of the Indian Ta ne ga on, on or about the 13th of July, was an atrocious, outrageous, and cold-blooded murder, and that it was a murder perpetrated on the part of the constable, Manning, and his deputies in pursuance of a scheme and conspiracy on their part to prevent the Indians from exercising a right and privilege which is, in my opinion, very clearly guaranteed to them by the treaty before mentioned."

The Acting Attorney-General, in closing, said: "There is, however, unfortunately no statute of the United States under which this Department can afford any assistance." He inclosed a copy of the report in the case forwarded by the United States district attorney, which reads as follows:

"A careful investigation of the whole affair will, I am certain, result in showing the correctness of the following statements, which are made after personally interviewing a number of the leading participants in the trouble, both among the Indians and the Jacksons Hole settlers, and by noting the exact condition of affairs in the region relative to the habits of the Indians, the settlers, etc.

"First. I desire to state that the reports made by settlers charging the Indians with wholesale slaughter of game for wantonness or for the purpose of securing the hides of the animals killed have been very much exaggerated. During my stay in Jacksons Hole I visited many portions of the district

and saw no evidence of such slaughter. Lieutenants Gardner, Parker, and Jackson, of the Ninth United States Cavalry, who conducted scouting parties of troops through all portions of Jacksons Hole, also found this to be the case. No carcasses or remains of elk were found in quantities to justify such charges. On August 12, I visited a camp of Bannock Indians who had been on a hunting trip in Jacksons Hole until ordered by the troops to return to their reservation. I found the Indian women of the party preparing the meat of seven or eight elk for winter use, drying and 'jerking' it. Every particle of flesh had been taken from the bones, even the tough portions of the neck being preserved. The sinews and entrails were saved, the former for making threads for making gloves and clothing, and the latter for casings. The hides were being prepared for tanning; the brains had been eaten; some of the bones had been broken and the marrow taken out and others were being kept to make whip handles and pack-saddle crosstrees. In fact every part of the animal was being utilized either for future food supply or possible source of profit.

"Second. In connection with the troubles between the Indians and the whites, I spent some time inquiring into the causes for the unconcealed hostility of the Jacksons Hole people against the Indians. I found little or no complaint among the settlers of offensive manners on the part of the Indians. Except in rare instances they have kept away from the houses of the settlers and have not been in the habit of begging. In no instance has there ever been a well-authenticated case where a settler has been molested by an Indian.

"About twenty-five of the Jacksons Hole settlers are professional guides for tourists and hunting parties visiting the region from other States and from abroad. The business is very profitable, guides sometimes making sufficient money in the short hunting season to keep them through the remainder of the year. These guides, while most of them have small ranches, make stock raising, or the cultivation of their places, a secondary consideration, and make the business of guiding tourists, or 'dudes' as they are called in the region, their principal occupation. The killing of game by the Indians and by the increasing number of 'dude' hunters threatens to so deplete the region of big game, deer, elk, moose, etc., as to jeopardize the occupation of the guides.

"It was decided at the close of last season to keep the Indians out of the region this year, and the events of this summer are the results of carefully prepared plans. Mr. Pettigrew, United States commissioner at Marysvale, said: 'At our last election the question of keeping out the Indians was the most important one we had to deal with, and the township officers elected, constable and justice of the peace, were selected

because we knew they would take decided steps to help us keep the Indians out.' Constable Manning said: 'We knew very well when we started in on this thing that we would bring matters to a head. We knew someone was going to be killed, perhaps some on both sides, and we decided the sooner it was done the better, so that we could get the matter before the courts.'

"Third. If a full investigation of the Jacksons Hole affair should be had the fact will be established that when Constable Manning and his posse of 26 settlers arrested a party of Indians on July 13 and started with them for Marysvale, he and his men did all they could to tempt the Indians to try to escape in order that there might be a basis of justification for killing some of them. On July 4 a party of eight Bannocks was arrested on Rock Creek near the head of Green River and taken to Marysvale, where six of the party were fined \$75 each and costs, the total amount of fine and costs being about \$1,400. This the Indians were unable to pay, and they were placed under guard to await instructions as to their disposal. The county authorities from whom the information was asked failed to reply to the inquiries of the Jacksons Hole officers, who at once relaxed guard duty over the Indians who escaped from custody.

"The next arrest of Indians was made July 13. Constable Manning and 26 deputies surrounded a camp of 10 bucks and 13 squaws at night, and early in the morning with guns leveled at the Indians made the arrest, the Indians offering no resistance. The arrest was made on Fall River, 55 miles from Marysvale. The warrant was for Bannock and Shoshone Indians, the names and number of the Indians to be arrested not being stated. After the arrest was made, the arms, meat and other articles in the possession of the Indians were taken from them. Constable Manning also took their passes, ration checks, etc. These papers gave the names and residence of most of the Indians. From an interview with Nemits, an Indian boy, who was one of the party of Indians arrested and shot, and from interviews with several of Mr. Manning's posse, I learned that the constable and his men told the Indians some of them would be hung and some would be sent to jail and that this was believed by the Indians. The constable also said in the hearing of the Indians, some of whom understood English, that if the Indians attempted to escape the men should shoot their horses.

"If the truth of the matter can be reached it will be found that the captors did not care particularly about getting their prisoners safely to Marysvale, where the same formality of fining them and then having to let them escape would result, as in the previous case, but on the contrary tempted the Indians to try to escape, first, by making them believe if they tried to

escape their horses only, and not they, would be shot. The Indians are in many respects like children, and are very credulous. They believed the threats of being sent to jail and of being hung were true, and they saw no trick in Manning's instructions, given in their hearing, to shoot their horses if they tried to get away.

"In an interview with Constable Manning he was asked why he did not tie the Indians on their horses and thus effectively prevent their escape. He said in reply: 'The trail was a dangerous one and if a horse fell the Indian tied on might get hurt and I would have been censured.' Asked why it was necessary to kill the escaping prisoners when he knew their names and addresses and could have subsequently obtained his prisoners by going to the Fort Hall Agency for them, he said: 'The agent would probably refuse to give up the Indians if any demand were made for them.'

"From Mr. Manning I learned that none of the horses of the escaping party of Indians were shot, notwithstanding his order, but that at least six Indians were hit by bullets. Of these, Timeha, an old man, was killed; Nemits, a boy of about 20, was wounded so that he could not escape, and the others got away. Constable Manning said to me: 'The old Indian was killed about 200 yards from the trail. He was shot in the back and bled to death. He would have been acquitted had he come in and stood his trial, for he was an old man, almost blind, and his gun was not fit to kill anything.'

"When the body of this old, sick, blind man was found after lying unburied in the woods for about twenty days it was found he had been shot four times in the back. The boy, Nemits, who was wounded, was shot through the body and arm. He was left on the ground where the shooting occurred, and remained there, living on some dried meat for ten days. He crawled for three nights to reach a ranch of a man friendly to Indians, and was seventeen days without medical attendance.

"The whole affair was, I believe, a premeditated and prearranged plan to kill some Indians and thus stir up sufficient trouble to subsequently get United States troops into the region and ultimately have the Indians shut out from Jacksons Hole. The plan was successfully carried out and the desired results obtained. It would, however, be but an act of simple justice to bring the men who murdered the Indian, Timega, to trial. I would state, however, in this connection that there are no Officials in Jacksons Hole—county, State, or national—who would hold any of Manning's posse for trial. Either the anti-Indian proclivities of these officials or the fear of opposing the dominating sentiment of the community on this question would lead them to discharge all of these men should they be brought before them for a hearing."

August 19, 1895, Agent Teter telegraphed this office as follows:

"Bannock Indians are very sullen and very much dissatisfied. Have recently had several brawls with whites, and if another Indian is killed an outbreak is liable to occur; and I will advise as a precautionary measure that soldiers be stationed on reservation until Indians quiet down. Signal fires have been burning on the highest points of the reservation for several nights.

"Your telegram promising Indians increased rations and employment did not placate them. They still demand privilege of hunting."

The War Department was thereupon advised of this information, which was transmitted to Brigadier-General Coppinger, who stationed a small military force on the reservation, to remain until the Indians become quieted down.

On August 26, 1895, the agent telegraphed:

"Consider it necessary for purpose of allaying discontent among Indians to send party of Indians into Jacksons Hole to obtain their property held by settlers, and will request authority to have an employee accompany them. Answer."

This was also submitted to the War Department for an opinion as to the advisability of allowing these Indians to go to the scene of the late troubles for the purposes indicated. The Secretary of War, September 7, 1895, stated that the matter had been referred to Brig. Gen. J. J. Coppinger, commanding Department of the Platte, who reported as follows:

"These Bannocks have an undoubted right to seek their property illegally held by white men in Jacksons Hole. If the Bannocks go there without proper guard they run the risk of being again shot at, or again arrested under cover of warrant, by the rustlers. The commanding officer of the troops now at Fort Hall Agency can furnish the necessary men for guard or escort. If these Bannocks go to Jacksons Hole they should be placed in charge of a discreet and experienced employee of the Indian Bureau; one accustomed to deal with both Indians and rustlers; this in order to guard against further bloodshed and consequent complications."

The Secretary of War concurred in the views expressed by Brigadier General Coppinger, and this office therefore instructed Agent Teter, on September 14, 1895, that a party of not to exceed eight Bannocks might be permitted to make the proposed trip to recover their property taken by whites, provided they were accompanied by himself or a trusted and competent agency employee, and by a proper escort of soldiers. Recommendation was therefore made that the War Department be requested to issue such orders as might be necessary for the required escort of United States troops.

In view of the provisions contained in Article I of the treaty of the United States with these Indians, this office, August 27, 1895, addressed the following letter to their agent:

Article 1 of the treaty with the Eastern Band of Shoshones and the Bannock tribe of Indians, concluded July 3, 1868 (15 Stats., 673), provides as follows:

* * * "If bad men among the whites, or among other people subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent and forwarded to the Commissioner of Indian Affairs at Washington City, proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also reimburse the injured person for the loss sustained." * * *

I desire you to obtain, at the earliest practicable date, such proof as you may be able to procure of the wrongs committed upon the persons and property of the Bannock Indians in the Jacksons Hole country, and forward the same to this office. Affidavits of the Indians against whom the offenses were committed and of eyewitnesses or persons knowing to the facts, will answer the purpose.

The agent replied September 3, 1895, transmitting two affidavits from certain of the Indians, which read as follows:

COUNTY OF BINGHAM, *State of Idaho, ss:*

Personally before me appeared Ravenel Macbeth, who, being duly sworn, deposeth and says that he is employed as chief clerk at Fort Hall Agency, Idaho, and while on duty in that capacity he accompanied U. S. Indian Agent Thomas B. Teter to Marysvale (Jacksons Hole), Uintah County, Wyoming, to assist in conducting an investigation relative to the killing of certain Bannock Indians by citizens of the State of Wyoming; that in an official conversation with one Frank H. Rhoads, justice of the peace, he (Rhoads) said to me that before issuing warrants for the arrest of the Bannock Indians who were hunting in Wyoming, he (Rhoads) wrote to Governor Richards, of Wyoming, requesting instructions and asking if he (Rhoads) could depend upon him (Governor Richards) to protect him (Rhoads) in the event of trouble with the United States authorities over the arrest of said Bannock Indians; and that said Governor Richards wrote him (Rhoads), "directing him to enforce the laws of Wyoming, to put the Indians out of Jackson's Hole, and to keep them out at all costs, to depend upon him for protection, and that he (Governor Richards) would see him through," whereupon he (Rhoads) acted. Further deponent saith not.

RAVENEL MACBETH.

Subscribed and sworn to before me this 3rd day of September, 1895.

P. H. RAY,

Captain, Eighth Infantry, Summary Court Officer.

Witness:

DAN'L T. WELLS,

Captain, Eighth Infantry.

CAMP UNITED STATES TROOPS,

Fort Hall Agency, Idaho.

COUNTY OF BINGHAM, *State of Idaho, ss:*

Personally appeared before me Ben Senowin, a Bannock Indian, who, being duly sworn, deposeth and says: That he is the head of a clan, and that on or about July 15, 1895, while hunting on unoccupied Government lands east of Jacksons Hole, in the county of Uinta, State of Wyoming, under a pass from the U. S. Indian agent at Fort Hall Agency, and provisions of article 4 of the treaty with the Shoshones (Eastern band) and Bannock Indians, dated July 3, 1868, and ratified February 16, 1869, in company with Nemuts, Wa ha she go, Ya pa ojo, Poo dat, Pah goh zite, Mah mout, Se we a gat, Boo wah go, thirteen women and five children, all Bannock Indians, were, while in camp, feloniously assaulted and by force of arms attacked by a party of twenty-seven white men, and having been made under threat of death to give up all of their arms, consisting of seven rifles and ammunition, were marched thirty miles, more or less, in the direction of the white settlement; that during the afternoon of the aforesaid date, while passing through a belt of timber, the deponent saw several of the white men placing cartridges in their rifles and believing his own life and the lives of the members of his party to be in danger, called upon his people to run and escape, whereupon the white men, without just cause or provocation, commenced to fire with rifles loaded with ball cartridges upon him, the deponent, and his people; that he, the deponent, saw one Indian named Se we a gat fall dead, killed by said fire, and one Nemuts wounded, and that one infant was lost while they were escaping and has not since been found; and deponent further saith himself and his party were by force of arms of said party of white men and by threats of instant death feloniously deprived and robbed of the following articles of personal property, to wit: Seven rifles, twenty saddles, twenty blankets, one horse, nine packs of meat, and nine tepees, more or less; and deponent further saith that neither he or any of his people were told why or by what authority they were assaulted; that he is not aware that either he or any of his party had committed any offense against the laws of any State or the United States; or that he or any of his party ever at-

tempted or offered any violence, or had made any threats against the life or property of any white man; that the white man never gave him or his party any hearing, or asked him or his party any questions through an interpreter or otherwise; that neither he or any of his party were ever called upon to answer or plead in any court of justice or make answer to any charge whatsoever.

BEN (his x mark) SENOWIN.

Witness:

RAVENEL MACBETH.

Sworn and subscribed to before me this 1st day of September, 1895.

P. H. RAY,

Captain, Eighth Infantry, Summary Court Officer.

CAMP UNITED STATES TROOPS,

Fort Hall Agency, Idaho.

I certify on honor that the following names were given me by Frank H. Rhoads, J. P., as the names of the men who committed the assault put forth in the foregoing affidavit: J. G. Fisk, Ham Wort, Steve Adams, Joe Calhoun, William Crawford, Ed. Crawford, Martin Nelson, Joe Enfinger, W. Munger, Ed. Hunter, Frank Woods, Frank Peterson, Jack Shive, George Madison, Andrew Madison, M. V. Giltner, Charles Estes, James Estes, Tom Estes, George Wilson, John Wilson, Erv Wilson, Victor Gustavse, Steve Leek, William Bellvue and John Cherrey, and William Manning.

Thos. B. Teter, *U. S. Indian Agent.*

COUNTY OF BINGHAM, *State of Idaho, ss:*

Personally appeared before me Nemuts, Boo wah go, Ya pa ojo, Mah mout, Wa ha she go, Poo dat, and Pah goh zite, Bannock Indians, who being duly sworn, depose and say that they have heard the interpreter read to them the foregoing affidavit of Ben Senowin; that they were present and know of their own knowledge the statement set forth is true to the best of their knowledge and belief.

NEMUTS (his x mark).

BOO WAH GO (his x mark).

YA PA OJO (his x mark).

MAH MOUT (his x mark).

WA HA SHE GO (his x mark).

POO DAT (his x mark).

PAH GOH ZITE (his x mark).

Witnesses:

RAVENEL MACBETH.

TOMMY COSGROVE.

Sworn and subscribed to before me this 1st day of September, 1895.

P. H. RAY,

Captain, Eighth Infantry, Summary Court Officer.

CAMP UNITED STATES TROOPS,

Fort Hall Agency, Idaho.

Witness:

DAN'L T. WELLS,

Captain, Eighth Infantry.

Report was thereupon made to the Department September 11, 1895, inclosing a copy of the above affidavits.

As shown by Article I, heretofore quoted, of the treaty of these Indians with the United States, concluded July 3, 1868 (15 Stats., 673), this Government is bound, under the said treaty provisions, to cause the offenders' arrest and punishment according to the laws of the United States, and also to reimburse the injured persons for loss sustained. The proof necessary, as stipulated in the said Article I, is now before the Department, and, in the opinion of this office, no means should be left untried and no efforts be spared by the Department to the end that the treaty provisions with these Indians may be faithfully carried out and good faith kept with them on the part of the Government.

In view of the above, and of the fact that these Indians are still sullen and very much dissatisfied with the action already had in the case, and urge that the guilty whites be punished, it was submitted in my said report of September 11, 1895, whether or not something could be done by the Department of Justice toward punishing the offenders.

In the Report of the Board of Indian Commissioner, Washington, D. C., January 1896, we find the following:

Jacksons Hole*

The details of the troubles at Jacksons Hole, Wyoming, are so fully set forth in the reports of the Commissioner and Secretary and in the public press that we need not dwell upon them at length. It is now well understood that the alarming reports spread abroad of threatened massacres by the Bannock Indians were false; that no white persons were injured or in danger, and that the only victims of the disturbance were Indians, one of whom was cruelly murdered in cold blood, and, as the district attorney affirms, "in pursuance of a scheme and conspiracy to prevent the Indians from exercising a right and privilege which is very clearly guaranteed to them by treaty." This right to hunt has been sustained by the United

*Ibid., p. 991.

States district court, which, in a test case, decided and "held the laws of Wyoming invalid against the Indians' treaty." It is also gratifying to know that the Department of Justice has taken under consideration the question of prosecuting the whites who committed the outrages upon the Indians, and has instructed the United States attorney to indict the parties and prosecute the case with vigor. We are sure that all upright citizens agree with us in commending the earnest and vigorous efforts of the Interior Department to vindicate the rights of the Indians and to justly punish the perpetrators of the outrage.

THE VIRGINIAN

It was about 1889, that Owen Wister arrived at Medicine Bow station by the Union Pacific R. R. from New York. Over the late-mentioned round up territory he gathered inspiration for the writing of his popular novel, "The Virginian." His pen drifted north as he wrote. He reached trails' end with imaginary herds of cattle, gathered from the wilds, for shipment to Chicago markets by way of the Northern Pacific Railroad from Montana.

The principal characters of his drama, The Virginian, Judge Henry, The Schoolmarm, Cipico and Trampas, were not known in the Medicine Bow area at that time, as The Rider recalls. A few years later a hotel was built at Medicine Bow and named The Virginian, in remembrance of the author.

M. Wilson Rankin.

Documents and Letters



THE UTAH EXPEDITION, 1857-1858**By Dominic A. Brosnan***

The caption at the head of this article is the title of Volume 12, New Hampshire Historical Society Collections, edited by Otis G. Hammond, published at Concord, N. H., 1928.

Today when the public is urged to contribute books of real value to men in the armed services—outside of the Bible and books that inculcate man's duty to God, his neighbors, and himself—I know of none of such outstanding merit and attraction likely to prove of interest and be of educational value to our youth in uniform as this. The book contains the letters of Capt. Jesse Augustus Gove, 10th Infantry, U. S. A., of Concord, N. H., to Mrs. Gove, and special correspondence of the *New York Herald*. The book is in two parts, the Gove letters—202 pages; and the *New York Herald* correspondence, biographical references, and index—240 pages.

I am the fortunate—I may say proud—possessor of the majority of the envelopes that carried the Gove letters, written between June 22, 1857 and August 5, 1858. The original letters consist of 700 pages. The envelopes are franked with 3c 1851 and 1857 stamps. Many of the cancellations are of unusual interest to philatelists. The outstanding one is a straight lined cancellation; FORT BRIDGER, U. T., March 1, 1858, illustrated below.

*Dominic Aloysius Brosnan was born in London, England, of Irish parentage in 1868.

Attended Saint Charles College and Saint Joseph's College in London, until 14 years of age, when his father, having financial reverses could no longer continue his schooling.

He began stamp collecting at the early age of ten, when in 1878, with the help of two American boys, schoolmates, he developed a keen interest in stamp collecting. At the age of 18 years, he had become acquainted with many great English collectors, notably T. K. Tapling, member of Parliament, whose great collection was donated to the British Museum in London.

He visited the capitals and large cities of continental Europe between 1890 and 1900 where he saw all the important stamp collections and collectors. In 1900 gave up stamp collecting.

Came to the United States in 1904 at the invitation of a western financier to enter the banking business, but ill health detained him in the east.

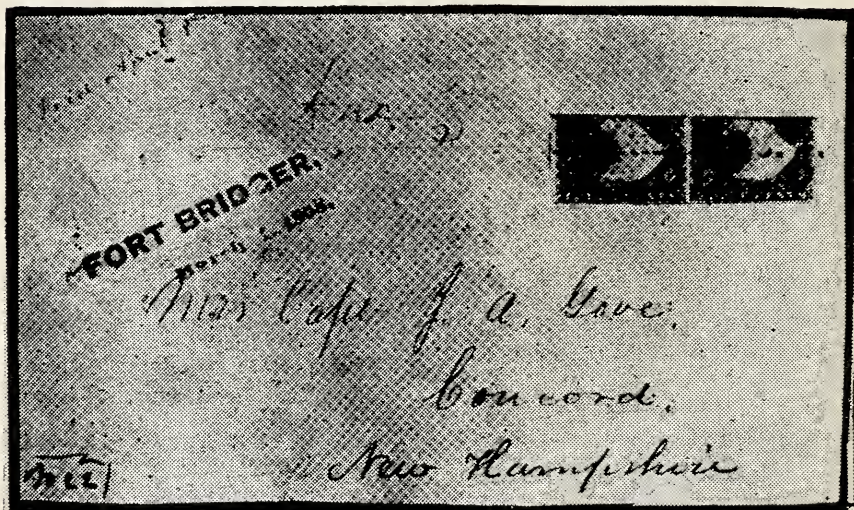
Between 1914-1918, was engaged in expedition machinery production for export to the allies in Europe.

In 1919 again took up stamp collecting, establishing a business in Boston. An accident compelled him to retire in 1931.

He is a Roman Catholic. Married Emma M. Lauson, R. N., in 1920, who was a native of Canada.

This cancellation ties a pair of 3c 1851 to the cover. The cancellation is also struck diagonally on the left of the envelope. I found the covers in the collection of the late Major Lynde Sullivan, of Durham, N. H., which I purchased in September 1924. The envelopes were addressed to Mrs. J. A. Gove, or Mrs. Capt. J. A. Gove.

In trying to arrange the envelopes chronologically I was beset with difficulties. The writer seemed to be an ubiquitous person who was able to mail his letters at various points hun-



One of the envelopes from the Gove letters from the collection of the author. This one bears the straight line Fort Bridger, U. T. cancellation, dated March 1, 1858.

dreds of miles apart at or about the same time. I wrote in September 1924 to Major Lynde Sullivan, asking if he could help me in the matter by giving me some information as to the letters that had been in the envelopes. This he was reluctant to do. However, I soon located the letters in the archives of the New Hampshire Historical Society. On October 7, 1924, I received the following letter from Otis G. Hammond, Director of the Society.

"Dear Sir:

We have a large number of letters and papers of Capt. Jesse A. Gove, U. S. A., and shall be glad to have you examine them at any time.

We have also a photograph of him,

(Signed) Otis G. Hammond."

The above letter was in answer to my letter inquiring as to Gove letters.

I made a trip to Concord, and spent two glorious days reading Capt. Gove's letters to his wife, making notes, etc. I found that the covers from Major Sullivan's collection were practically a complete set covering the letters to Mrs. Captain Gove during the Mormon Campaign, with the exception of letters from Camp Floyd, Utah, July and August, 1858, prior to Capt. Gove's return home on leave of absence. The latter Mrs. Hammond's daughter, Priscilla, kindly let me have later to complete my set. All are postmarked Salt Lake City, Utah.

The last letter from Camp Floyd, August 5, 1858, before Capt. Gove's departure from home, was contained in a 6c green stamped envelope, 1857, cancelled Aug. 7, '58, the only cover in the series bearing other than 3c stamps. The letter the envelope contained is typical of Capt. Gove's literary style:

"Camp Floyd, U. T.,
August 5, 1858.

"Dear Maria:

What do you think I have been doing today—well I have been annoyed and disturbed by having a clearing out of my tents. It is a disagreeable duty but those things must be done; but it is useless to try to keep things in order and repair, but those who enjoy must suffer—so when a man gets a leave of absence to start for the States in two days, he ought to suffer—Dunovant sits here scolding me that I don't tell you directly that we both have got the documents in our pockets; and in other words we have got a leave of ABSENCE—Now don't cry, says Dunovant; so say I—but if there is any virtue in mules and horses we shall be on the borders of civilization by the first October next.

Write me at Fort Leavenworth in care of Col. Rich, P. M. Dunovant says that I shall see Charlie by the 20th September, but I don't believe that. We have both of us been to N. Y., Washington, and had several frolics—all in imagination. Col. Alexander, Capt. Gardner, Tidball (sick) Maynadier—Dunovant—Grover & Gove from the 10th—all are coming in.

We shall travel about 35 or 40 miles per day. Excellent outfit—only four in the fort team—Capts. Marey & Grover, Dunovant & myself—Don't be too sanguine—I have two horses, ambulance and 6 mule team to each officer—Carroll is temporarily transferred to D Company which goes to Bridger & Murry to mine—In haste—

Jesse. (Capt. Gove).

I am a regular mountaineer on riding, and the twelve hundred miles must be done up quickly—I have lived on a horse the last year."

Mr. Hammond was kind and cooperative, and called my attention to the biography of Capt. Gove, *History of Norwich University 1819-1911*, pages 449-451. He undertook to furnish me with typewritten copies of the letters, and photostats of any pages I desired. Possibly my interest was a factor in the eventual publication of "The Utah Expedition" in 1928, giving the Gove letters.

In the ensuing two years I did considerable research work, aided by my friend Dan, who is in the War Department in

Washington. I exhibited the covers with some historical data at the International Philatelic Exhibition in New York in 1926, Exhibit 273, pages 182-183 in the Exhibition catalog. It was ignored by the judges, and received but scant attention from the visitors to the Exhibition. Paraphrasing Kipling,

“Oh, the years we waste and the money we spend,
And the work of our head and hand
Belongs to the public, who do not know why,
Seeing at last that they can never know why,
And never can understand.”

The exhibit was again shown in 1930 at the Boston Exhibition. I still have it intact.

Regarding the book referred to in the commencement of this article, “The Utah Expedition,” I note that it does not appear to be copyrighted. It is probably a scarce book. Mr. Hammond presented me with a copy when it was published in 1928. I had to pay \$8.00 for a second copy. It does not have a preface nor the biography of Capt. Gove, which if included would be a tremendous help, enabling readers to form a true estimate of a forgotten hero. The inclusion of Capt. Gove’s military record, which I have, would also help. If the book were reprinted with these additions and sold at a popular price, I feel sure it would receive wide acclaim, and that many who have sons or relatives in military service would be only too glad to present a copy to camp libraries, as well as to their relatives in service. . . .

I would appreciate if any readers of STAMPS who know of a 3c stamp 1857 envelope with a straight lined cancellation
Camp Scott
at Bridgers Fort U. T. 1858
would communicate with me. My address is East Natick, Mass.

FORT BRIDGER, UTAH TERRITORY*

I notice in a number of Harper’s Weekly which has reached the camp, some cuts purporting to be representations of this position, which are so grossly incorrect that it has induced me to subscribe to your paper that I might discharge a duty I owe to the army and the public, by sending you some drawings that will represent the fort as it is, and not as it is supposed to be. And here I must allude to the miserable caricature of Gen. Johnston which was published in the same paper, and which does so little justice to our noble commander that the perpetrator should be sued for damages and fined for pictorial libel! A person familiar with the brave general’s features

*Frank Leslie’s Illustrated Newspaper, July 10, 1858, No. 136—Vol. VI.

might perhaps trace a resemblance, but it can be called a portrait only by extraordinary stretch of exaggeration.

Fort Bridger is represented as it was in the winter, when two companies were camped here, viz., Company B, Fifth Regiment, Captain Robinson; and Company S, Tenth Regiment, Captain Gove; with two brass field-pieces under command of Lieutenant Howard, Fourth Artillery; the whole force under command of Captain Robinson.

The lodge and wagons on the left are those of Russell and Waddell, and near them are three tents occupied by S. H. Montgomery, M. S. N. Next are three rows of tents belonging to the two companies of infantry; behind them are tents used by the commissary of the post, two canvas houses for camp women, and an old common tent on the right. All the wood used for fuel has been hauled by hand to the hollow square, around which the fort is built. The area is of some ninety feet front, with a wall of cobblestones eighteen feet high and a corral about the same size, in the near corner of which is the Fifth Infantry's sutler establishment. This was erected during the winter by A. P. George, and afforded a comfortable retreat in the long winter evenings for the few officers of the post.

The two bastions on the angles were thrown up during the winter by Lieutenant Webb, of the Fifth, and Lieutenant Kessel, Fourth Artillery.

You will notice that I have not represented officers in full-dress and men in heavy marching order; for however picturesque the appearance may be, it is not in accordance with fact. Blanket wrappers were used all through the winter by the entire force. Comfort was far more studied than good looks.

HISTORY OF NORWICH UNIVERSITY

1819-1911

pp. 449, 450, 451

Col. Jesse Augustus Gove, B. L.

Jesse A. Gove was born in Weare, N. H., Dec. 5, 1824, and was killed in battle June 27, 1862. In his youth he showed great ardor for warlike pursuits and was accordingly sent to the University in 1845. In March, 1847, he was appointed second lieutenant in the 9th United States regulars, Col. T. B. Ransom's regiment; was promoted first lieutenant Dec., 1847, and served in the Mexican war. At the close of the war he resumed his studies and graduated B. L. in 1849.

In 1851 he was admitted to the bar. From 1850 to 1855 he was Deputy Secretary of State. In 1858 he was made Captain of Company I, 10th United States Infantry, and was ordered to Minnesota Territory and was stationed at Forts Snelling and Ripley, where he did active service against the Sioux Indians.

In 1857 he was ordered to Utah Territory soon after the "*Mountain Meadow Massacre*" and served there under Gen. Albert Sidney Johnston until the Civil War, when he was selected by the government to take command of the 22d Massachusetts Volunteers. He took command of the regiment at Yorktown, and the 22d Massachusetts scaled the ramparts in advance of all, Colonel Gove being the first *Union* man on the fortification after the war opened. On June 27, 1862, at the battle of Gaines' Mills, the 22d Massachusetts, under his command, occupied the center of the battle line and a great portion of the time was in the hottest of the fight and among the last to leave the field. Here, as he was rallying the regiment, he was shot through the heart by a minnie ball, a noble end to a noble life.

On the retreat that followed, Sergeant Marshall Pike passed the body and recognized it, but was unable to remove it, and the remains were never removed.

"He sleeps where he fell 'mid the battle's roar,
With his comrades true and brave;
And his noble form we shall see no more,
It rests in a hero's grave;
When the rebel foe in his might came forth
With all his power and pride,
And our gallant men from the rugged North
Like the Patriots fought and died."

Hon. Henry Wilson says:

"I am anxious that Colonel Gove's name shall be placed among the noble sons of our country in the Annals of time. If I had cared less for the men over whom I placed him I should months ago have seen to it that he was made a brigadier general."

Brig.-General Philip St. George Cook, U. S. A., writes:

"I can say with truth rarely have I met so zealous, energetic and accomplished an officer. He was the soul of honor, generosity, and hospitality. I was with the Colonel in his last battle. He fell at the head of his regiment: certainly a 'glorious death'."

Headquarters of the Army,
New York, June 29, 1857.

Sir:

The letter which I addressed to you in the name of the general-in-chief, on the 28th ultimo, his circular to the chiefs of staff departments same date; his general order No. 8, current series, and another now in press, have indicated your assignment to the command of an expedition to Utah Territory, and the preparatory measures to be taken.

The general-in-chief desires me to add in his name the following instructions, prepared in concert with the War Department, and sanctioned by its authority, whenever required.

The community and, in part, the civil government of Utah Territory are in a state of substantial rebellion against the laws to be designated, and to be charged with the establishment and maintenance of law and

order. Your able and energetic aid, with that of the troops to be placed under your command, is relied upon to insure the success of his mission.

So well is the nature of this service appreciated, and so deeply are the honor and the interest of the United States involved in its success, that I am authorized to say that the government will hesitate at no expense requisite to complete the efficiency of your little army. The employment of spies, guides, interpreters or laborers may be made to any extent you may think desirable.

The general-in-chief desires to express his best wishes, official and personal, for your complete success and added reputation.

I have the honor to be, sir, very respectfully, your obedient servant,

GEORGE W. LAY,

Lieutenant Colonel Aid-de-Camp.

Brevet Brigadier General W. S. Harney,
Commanding Officer,
Fort Leavenworth, K. T.

EXPEDITION AGAINST MORMONS DESCRIBED*

Letters of Capt. Gove of Historical Value

Rare Cancellations, Postmarks, on Envelopes of Collection

Valuable historical sidelights on a little-known episode in American history have come to light this week as the result of research conducted by Dominic A. Brosnan, collector and stamp dealer, 62 Pemberton sq. in connection with an exhibit at the International Philatelic Exhibition in New York this week.

Mr. Brosnan acquired, recently, 50 letters written by Jesse A. Gove of New Hampshire, an officer in the Regular Army before the Civil War. Most of them were sent to his wife, who lived in Concord, N. H., while her husband was on duty in the West. To a collector like Mr. Brosnan, the letters are valuable because of the stamps and cancellations on their envelopes. Some, bearing manuscript cancellation and postmarks from forts, are believed to be very rare.

This collection shows cancellations from a Postoffice at Fort Bridger in February and March, 1858, whereas United States postal records show no office there before August, 1858. Neither do War Department archives show an Army Postoffice there during the time when Capt. Gove was writing, but the officials do not deny that their records are very possibly incomplete. In that case these cancelled envelopes present a more authentic historical record than the Government records. So rare are they, in fact, that no other philatelist to whom Mr. Brosnan has written claims any acquaintance of them.

Copies of Letters in Exhibit

In addition to this interest, however, the letters have a real historical significance. The originals are now in the archives of the Concord, N. H. Historical Society, more than 700 pages of manuscript. By Mr. Brosnan's efforts they have

*From the *Boston Globe*, October 18, 1926.

been copied into typewritten form and will constitute part of the exhibit. Mr. Brosnan is very grateful for assistance received in this work to Otis G. Hammond, director of the Concord Historical Society, and to his daughter, Miss Priscilla Hammond, who gave four envelopes from her own collection to complete this series.

The letters cover the period from June 22, 1857, to Aug. 5, 1858, and deal with the almost-forgotten expedition sent against the Mormons of Utah by President Buchanan.

Gove, at this time, was captain of I company, 10th United States Infantry. He was already, although still young, a veteran of the Mexican War and had spent some time at border posts in the West.

The expedition against Salt Lake City was the outgrowth of the defiance of the Government by Brigham Young, prophet of the Mormon "Saints." Orders to the commander of the invading army, issued from headquarters at New York, stated the object of the campaign thus:

"The community and, in part, the civil government of Utah Territory are in a state of substantial rebellion against the laws and authority of the United States. A new civil Governor is about to be designated, and to be charged with the maintenance of law and order. Your able and energetic aid, with that of the troops to be placed under your command, is relied upon to insure the success of his mission."

INTERNATIONAL PHILATELIC EXHIBITION

New York, October 16th to 23d, 1926

Fort Bridger and the Army of Utah, 1857-8

"The Army of Utah passed the winter, 1857-8, amid privations no less severe than those endured at Valley Forge eighty-one years before."—Bancroft.

The envelopes in this exhibit contained letters of Colonel Jesse Augustus Gove, U. S. A., B. L.—the author of Utah articles signed "Argus" in the New York Herald of 1858—during his services as Captain with the Army of Utah, dating from the muster of the army at Fort Leavenworth, Mo., July, 1857, and embracing the period of its services on its march—1050 miles—to Fort Bridger, U. T., its sojourn at the Fort and Camp Scott nearby, during the winter, 1857-8, its march to Salt Lake City, U. T., and its arrival at Camp Floyd, U. T., June and July, 1858.

This exhibit is intended to illustrate the educational value of the branch of Philately which deals with the study of stamps and their cancellations from the Historical standpoint.

The envelopes cancelled Saint Louis, Mo., February 20th, 1858, and marked Army of Utah, and Fort Bridger, March 1st, 1858, furnished the necessary clue for the research work, which established the Historical importance of the envelopes, forwarded as they were during one of the most stirring epochs in the history of Utah. The original letters, comprising 700 pages, are in the Archives of the Historical Society, Concord, N. H. Typewritten copies—220 pages—together with some Historical data form part of this exhibit not displayed. The study of the envelopes in conjunction with the letters is necessary in order to appreciate their Historic importance and Philatelic interest.

**PHOTOSTAT FROM A RARE PAMPHLET IN THE
CONGRESSIONAL LIBRARY, WASHINGTON, D. C.**

The Mormons here passed the several commands in small parties, claiming to be returning from California, but at Green River they threw off all disguise, and sought not to cloak their intentions, where they burned three of our provision and baggage trains. And I must in justice here remark, that but for the want of energy, and decision, on the part of those officers in command at this time, this calamity may have been obviated. Our loss on this occasion was considerable and was felt severely throughout the division; depriving us as it did of all our salt, a great portion of our meat, bread, tools, axes, and other implements necessary for such an expedition; and they pursued our march with a degree of tact and perseverance that to us seemed a little astonishing—stealing our animals or anything else they could lay hands on, until that efficient and talented officer, Col. Johnson arrived with his dragoons, when they dispersed at once, leaving some little of their plunder behind them.

We were in this part of the expedition probably nonplussed more than any where else during the campaign as we had no horses to oppose against their ponies prior to the arrival of Col. Johnson, but finding eventually, they were overpowered they proceeded at once to Fort Bridger, where they set fire to the buildings contained within the Fort and entirely consumed them; and as though they could carry their demoniacal fury no further, they proceeded to fire the grass for miles along our route, but in this they had very little success. On our arrival we encamped about a mile from Fort Bridger, where there was abundance of wood and grass.

Fort Bridger is rather a small fortification, having been originally intended for the protection of the traders frequenting the plains, but nevertheless it has very substantial walls

and answers the purpose of an inland military post well enough. The walls are built of small cobble stone, well laid up with lime and mortar, about eighteen feet high, and about one hundred feet square; inside is a fine place for military and commissary stores, and in which all such are kept. A fortification was constructed on the east and west corners.

**POST OFFICE DEPARTMENT
FIRST ASSISTANT POSTMASTER GENERAL
WASHINGTON**

October 23, 1924.

Mr. D. A. Brosnan,
East Natick, Massachusetts.
My dear Sir:

In reply to your letter of the 15th instant you are informed that the post office at Fort Bridger, Utah, was established on August 6, 1858. I am unable to state whether it was customary for Army posts to postmark letters if there was no post office at the point but as you state that an envelope in your possession bears the postmark of Fort Bridger, Utah, March 1, 1858, it would appear that this action was taken as *there was no post office at Fort Bridger on that date.*

The stamped envelope which you transmitted is returned.

Sincerely yours,

/s/ Chas. F. Trotter,
Acting First Assistant Postmaster General.

“OLD TOWN” GREEN RIVER

“A short distance from the station to the southward is the site of the old deserted city of Green River, near the old emigrant crossing. The city was laid out in July 1868 and in September contained 2,000 inhabitants and many substantial wood and adobe buildings and presented a permanent appearance. At that time it was thought by the citizens that the railroad company would erect their division buildings near the town and that it would become an important station. But the railroad company opposed the town company, bridged the river, and as the road stretched away to the westward, the town declined as rapidly as it arose, the people moving on to Bryan, where the railroad company built their city.”

TERRITORIAL PAPERS OF WYOMING IN THE NATIONAL ARCHIVES

By W. Turrentine Jackson*

The government of the Territory of Wyoming, like that of all the territories of the United States, was supervised by the federal government. Between 1868 and 1890 the more important officials of Wyoming were appointed by the President of the United States and each appointee, whether territorial governor, secretary, or judge, was charged with the responsibility of reporting periodically on territorial affairs. Copies of these reports, together with the official and unofficial correspondence of the territorial officers, were preserved by the executive departments in Washington, D. C. These official records of the federal relations of the Territory of Wyoming are now deposited in The National Archives. Many letters from private citizens of Wyoming either complaining or rejoicing about the effects of a decision in Washington or in Cheyenne have also been retained. The government of the United States has thus preserved a tremendous volume of historical source material dealing with Wyoming.

Several of the executive departments were concerned with territorial affairs during this period. The War Department was responsible for organizing the defense against the Indian tribes and the construction of military posts. The Post Office attempted to speed mail deliveries by improving post roads. The territorial courts and their officers received authority from the Department of Justice. Although the archives of these departments are rich in source materials, the manuscripts of greatest historical value, including the bulk of the reports and correspondence of territorial officials, are secured in the State or Interior Department Archives.

Until 1873, the responsibility for the political administration of the territories was vested in the Department of State. Each of the territorial secretaries was required by law to send copies of the executive proceedings of the territories to the State Department biannually. These officials always corresponded with the Secretary of State relative to the more important territorial affairs and occasionally forwarded a complete copy of the proceedings of a territorial legislature. Van Tyne and Leland in their *Guide to the Archives of the Government of the United States in Washington* recognized the

*For Mr. Jackson's autobiography see *Annals of Wyoming*, Vol. 15, No. 2, p. 143.

importance of these State Department records and wrote of them as being "of considerable value," and as furnishing "documents not to be found in the archives of the states that were formerly territories."¹ In 1911, David W. Parker published a *Calendar of Papers in Washington Archives Relating to the Territories of the United States to 1873*.² The territorial records in the State Department Archives were included among the documents which he listed, and provided the largest single source of manuscripts described.³ The Wyoming materials in the State Department are extremely limited, however, for the territory had been in existence only four years when the responsibility for territorial affairs was transferred from the Department of State to the Department of the Interior.

From 1873 until 1890, the Interior Department was supervising political affairs in Wyoming, and the official reports, executive proceedings, and correspondence of this period have been preserved with as great care as the records of an earlier date. Although Van Tyne and Leland considered these manuscripts to be of "comparatively small value,"⁴ the writer has examined the territorial papers in the Department of the Interior Archives and has found them to contain information which should be of utility to the historian of the American West. These records will be of assistance in expanding and explaining the information in the annual reports of the territorial governors which the Secretary of the Interior printed in his own annual report. A summary of the organization and content of the Wyoming records, moreover, will reveal the general nature of the territorial records secured in the National Archives and perhaps assist Wyoming historians with specific research problems. New sources of information may be revealed.

1. Van Tyne, Claude Halstead and Waldo Gifford Leland, *Guide to the Archives of the Government of the United States in Washington* (Carnegie Institution of Washington, 1907), 35.

2. Carnegie Institution, 1911.

3. The more valuable documents listed by Parker, along with other source materials in Washington, D. C., are now being edited by Clarence Edwin Carter, outstanding authority on the territories of the United States. Doctor Carter is editing the documents of each territory according to the date of its admission into the Union. One or more volumes of these territorial papers on each of the territories will be published by the Department of State. At the present time, (1943) ten volumes dealing with six territories have been published. Carter has told the writer that the records of the territories of the Northwest, with the exception of Oregon Territory, will not be prepared for publication for several years. It is doubtful that the records published by the State Department will extend beyond 1873.

4. 202.

In State Department Archives

Organization and Content of the Wyoming Territorial Papers, 1868-1873.

The so-called "territorial papers" of Wyoming which include the incoming correspondence to the State Department from 1868 to 1873, have been arranged chronologically, flattened, and bound into a single volume. This volume contains only a small percentage of the Wyoming materials in the State Archives. The outgoing letters from the department to Wyoming officials are found in the *Domestic Letter Books*; letters recommending or condemning various candidates for territorial positions are in the *Appointment Papers*. The *Domestic Letter Books* are a chronological series and each volume contains an index. The *Appointment Papers* are filed under the names of individual applicants.

Administration of J. A. Campbell, 1869-1875.

The correspondence of the first years of the Campbell administration deals chiefly with the disorganized state of the territory, the assembling of the first legislature, and the messages of the governor.⁵ Letters in the *Appointment Papers* written by outstanding generals as W. T. Sherman and Phil Sheridan indicate that Campbell's appointment came as a reward for his services in the Union Army. Details of Republican Party conflicts in these beginning years, as well as the controversy between Governor Campbell and H. Glafcke, Territorial Secretary and editor of the *Cheyenne Daily Leader*, are recorded in the unofficial letters. Glafcke was removed in 1873 by President Grant on the grounds that the secretary had supported Horace Greeley and the Liberals in the election of 1872. John B. Brown of Indiana was appointed Glafcke's successor.

In Interior Department Archives

Organization and Content of the Wyoming Territorial Papers, 1873-1890.

In the Department of the Interior Archives the records correlative to the bound volumes of territorial papers in State Archives are referred to as the *Executive Proceedings of the Territories*. The incoming correspondence of the Patents and Miscellaneous Division, which had jurisdiction over the territories, was arranged by subject until 1881, and after that date was arranged chronologically. Papers dealing with the various territories have been culled from these two series of incoming letters and a separate collection established for each of the territories in existence after 1873. The bulk of these collections are the

5. David W. Parker has listed and described these manuscripts in his *Calendar of Papers in Washington Archives Relating to the Territories of the United States to 1873*.

biennial reports submitted by each of the territorial secretaries on the executive proceedings within their territory. All correspondence to the Department, reports, proclamations and messages of the territorial officials have also been included. The materials assembled on Wyoming are more extensive than those on any other territory.⁶

The tremendous collection of *Appointment Papers* in the Interior Archives is given a chronological division: the first sector is from 1849-1878; the second from 1878-1885. Successive divisions are made at the beginning of each presidential administration. Manuscripts in each of these chronological sectors are segregated according to the position applied for, such as territorial governor or secretary. The *Appointment Papers* relating to a territorial office of any given period are finally classified by individual territories. This classification of manuscripts makes it possible for the researcher to study the records referring to the appointment and reappointment of a single territorial official as well as to study all the correspondence pertaining to unsuccessful candidates for any specific territorial office or in any particular period.

The *Charges File* is a very valuable collection of source materials in the Appointment Division of the Interior Archives. Up until 1885 charges against officials were scattered among the *Appointment Papers*, but after that date they are a separate series, filed in blocks like the *Appointment Papers*, and broken down by Presidential Administration. These papers are exceptionally useful in explaining the political intrigues of the Wyoming Territory during the administrations of Governors George W. Baxter, F. E. Warren, and Thomas Moonlight.

Although the official letters of the Department of the Interior addressed to territorial officials do not provide a large amount of factual information on conditions within the territories, an occasional letter will reveal an important administrative decision affecting political and economic affairs in a particular territory. Letter books containing the answers to correspondence received by the Appointments Division are known as the *Special Letters*. The outgoing correspondence of the Patents and Miscellaneous Division is found in the *Miscellaneous Letters*. The volumes of these letters have been arranged chronologically, and an index listing both subject matter and names of addresses has been prepared to accompany each volume.

6. The records for the Utah, New Mexico, and Dakota territories are also voluminous.

Administration of John M. Thayer, 1875-1878.

The records of this administration are scant. None of the official letters or proclamations of Governor Thayer are to be found in the *Executive Proceedings of the Wyoming Territory* in the Interior Archives. Apparently the Secretary of the Interior did not require Thayer, or the territorial secretary, George W. French, 1875-1879, to transmit these records to Washington. John W. Hoyt, who succeeded Thayer, mentioned in his first bi-annual report that the official correspondence which he was forwarding was limited because his predecessor had not been called upon to report and that he himself had not understood the importance of providing the Interior Department with copies of his letters. A few letters written by Governor Thayer relative to routine matters are filed in the *Appointment Papers of the Wyoming Governors*. French,⁷ the secretary, had the misfortune of becoming involved in a personal quarrel with other federal officials in the territory and the secretarial appointment papers of the period are to a large extent devoted to this controversy.⁸

Administration of John W. Hoyt, 1878-1882.

The extant correspondence of Governor Hoyt⁹ reveals the wide scope of his interests and activities. Among other things, Hoyt recognized the importance of Yellowstone National Park to the Wyoming Territory and for several years sought army support for the construction of a wagon road which would improve travel from the Wyoming settlements to the park. Detailed letters on this subject were addressed to the Park Superintendent, to members of Congress, and to army officers in charge of the western military districts. Letters to Sidney Dillon, President of the Union Pacific, evidence the governor's recognition of the value of the railroad to the development of Wyoming. One of these letters, eighteen pages long, summarizes the general economic situation in the territory during 1880. Other letters of historical interest were written by Hoyt on the subjects of the Indian depredations in northern Wyo-

7. French was from the State of Maine.

8. The United States District Attorney wrote the Attorney General in 1876 that French was profiteering on government contracts. After investigation, the Interior Department dismissed all the charges against him. Dozens of letters giving the details of the affair are available.

9. Hoyt was a college professor who had been interested in agricultural education in the State of Wisconsin. He was Secretary of the Wisconsin State Agricultural Society; founder of the Wisconsin Academy of Science, Arts, and Letters; and responsible for the reorganization of the University of Wisconsin to include courses in agriculture. He was a vigorous opponent of slavery and had worked for the Republican Party during its formative decade of the 1850's. After his term as Governor of Wyoming, Hoyt was recalled to the territory to become first President of the University of Wyoming. See Joseph Schafer, *A History of Agriculture in Wisconsin*. (Madison, 1922).

ming in 1878, the organization and maintenance of the territorial militia, the improvement of the mail service, the publication of F. V. Hayden's reports on the United States Geological Survey of Wyoming, and the organization of various Wyoming counties.¹⁰ The governor was personally interested in establishing a society for "historical research, scientific investigation, and the advancement of industry in Wyoming." He wrote dozens of letters to citizens throughout the territory asking for suggestions relative to the creation of the society and to the possibility of calling a meeting for interested parties.

The *Appointment Papers* of this period are devoted to the political controversy between Governor Hoyt and A. Worth Spates, secretary from 1879-1880.¹¹ Spates was succeeded by E. S. N. Morgan¹² and during Morgan's two terms as secretary, 1880-1888, the executive proceedings forwarded to Washington were more detailed and, as a result, have greater historical value.¹³ The *Appointment Papers of the Wyoming Governors* reveal that Hoyt was not reappointed in 1882 because he was accused of being "half-breed" supporter of Horace Greeley and Carl Schurz. Some Wyoming Republicans claimed he had provoked quarrels, divided the party, and permitted M. E. Post, a Democrat, to be elected to Congress. They requested the appointment of a "stalwart"—a strong party man. Hoyt was later recalled to Wyoming to serve as first president of the University.

Administration of William Hale, 1882-1885.

Although the records of the Hale administration are extensive as those of the Hoyt period, they deal chiefly with the routine procedures of the governor's office. Hale was likewise interested in Yellowstone Park, and through his efforts speci-

10. Johnson County and Crook County.

11. Spates had resided in Baltimore, Maryland. He got into difficulty because of his personal habits and through the North Park Mining Company in Colorado, a mining scheme which Governor Hoyt and other federal officials did not consider a legitimate business adventure. A bitter personal fight resulted. The *Appointment Paper* files on Spates are more voluminous than those of any other Wyoming Secretary. Spates made a desperate effort to be retained. Charges and counter-charges were filed, supported by affidavits, and Spates prepared over twenty statements which he forwarded to Washington summarizing his activities. When Spates realized that he had lost the fight, he wrote President R. B. Hayes that he understood that either he or Governor Hoyt must be removed, asked that he be sustained, but, if not, that his resignation be accepted. Hayes refused to accept the resignation and insisted that he be suspended from office.

12. Morgan was from Pennsylvania.

13. Morgan served as secretary during the administrations of Hoyt, Baxter, Warren, and Moonlight. On several occasions between administrations or in the absence of the chief executive he served as Acting Governor of Wyoming Territory.

mens of the physical phenomena of the Yellowstone were exhibited at the New Orleans Exposition. He vigorously opposed a Congressional bill which provided for the extension of the boundaries of the Montana Territory to include Yellowstone Park. As a humanitarian, the governor was interested in the care of criminals and the insane, and his correspondence shows that the case of each individual was a matter of his personal concern. Hale's official correspondence with the Eighth Legislative Assembly of Wyoming, with P. H. Sheridan relative to Indian cattle raids in the Powder River region, and with the Postmaster General concerning mail routes from Laramie to points in Colorado will provide historians with valuable source materials on those subjects.

The *Appointment Papers* disclose that Hale was an Iowa politician who had rendered valuable assistance to the Republican Party in that state. Being enthusiastically endorsed by a Senator and the Governor of Iowa, he was the "stalwart" chosen to succeed Governor Hoyt. The administration was notorious for the harmony which existed among the federal officials in the territory.

First Administration of Francis E. Warren, 1885-1886.

The executive proceedings of the Warren administration that have been retained in the National Archives are of greater historical value than those of any other Wyoming governor. According to his own reports, Warren preserved and forwarded to the Interior Department a copy of every official letter written during his administration. He used a separate letter book for each six months' period. Toward the end of his first administration the governor began having his correspondence typed, and after that date carbon copies were forwarded to Washington. Among the more noteworthy records are the letters of Governor Warren pertaining to the cattle business in the territory and to the enforcement of quarantine regulations in 1885-86. He corresponded with Union Pacific Railway officials who complained at the restrictions on the railroad, with state governors who protested the prohibition of cattle shipments from their states, and with individual shippers concerning the inspection of their cattle.¹⁴ Warren's first administration was marred by the clash between the miners and Chinese laborers at Rock Springs. The so-called "Rock Springs Massacres" attracted national attention, and, upon request, the governor forwarded a special report of the affair to the Secretary of the

14. These source materials are being edited by the writer and will be published in a later issue of the *Annals of Wyoming*.

Interior which was printed in the secretary's report of 1885.¹⁵ Several interesting letters which were omitted in the official report may be read in the Warren letter books. The governor was a champion of woman suffrage in Wyoming and his answers to inquiries relative to the success of the experiment reveal the extent to which Wyoming was pioneering in this political field.¹⁶ Warren's complete correspondence with the Wyoming legislature during February, 1886, is available. Several letters giving detailed descriptions of the city of Cheyenne in 1885 and papers concerning the beginning of the University of Wyoming in Laramie will be of great interest to the Wyoming historian. The business ability of Francis Warren is disclosed by the content of many of his letters such as his correspondence with President Benjamin Harrison on the indebtedness of various Wyoming counties and the refinancing which would be necessary before statehood could be obtained, by letters to individuals referring to Wyoming land which was available for ranches, and to the success of the cattle business in the territory. Through a study of these source materials, one may obtain an insight into the personality of Warren and into the general development of Wyoming during 1885-86.

The *Appointment Papers of the Wyoming Governors* explain the change of administrations. Governor Hale had died in January of 1885 and Francis Warren was appointed governor by Chester A. Arthur at the close of his administration after Cleveland's election to the Presidency. Immediately upon the inauguration of Cleveland, the friends of Warren attempted to prove that he was a non-partisan. Joseph M. Carey and Morton E. Post, political and business colleagues of Warren who had Congressional influence, worked ceaselessly for his retention, but Cleveland preferred to appoint a Democrat. George W. Baxter of Tennessee was appointed to the governorship in 1886.

Administration of George W. Baxter, 1886.

In the records of the *Appointment Papers and Charges Files of the Wyoming Governors* are to be found the historical facts of the brief political career of George Baxter, who served as Wyoming Governor for the month of November, 1886. The Democrats of Wyoming, who had long awaited the election of a Democratic president and the appointment of a Democratic

15. "Special Report of the Governor of Wyoming to the Secretary of the Interior Concerning Chinese Labor Troubles, 1885," *Report of the Secretary of the Interior*, II (Washington, 1885), 1223-1234.

16. W. Turrentine Jackson, "Governor Francis E. Warren, A Champion of Woman Suffrage, Letters in The National Archives," *Annals of Wyoming*, XV (April, 1943), 143-149.

governor, were divided into two groups, one supporting Morton E. Post for the governorship, the other George W. Baxter. As soon as Baxter was appointed he was accused by his enemies of illegally fencing government land. Before he could prepare an adequate defense, a clique of the Republican Party, personal and business friends of Post, joined the Post faction of the Democratic Party and secured the removal of Baxter. The upshot of the political controversy was the appointment of a Democrat from outside the territory to the governorship and the loss of "home rule" in Wyoming.¹⁷ In several long letters Baxter has written his autobiography including his career before he arrived in Wyoming, his political aspirations, and his defense against the accusations of his political enemies. The extensive correspondence and newspaper clippings in the *Appointment Papers and Charges Filed on Francis Warren and Morton E. Post* present the viewpoints of those opposed to Baxter.

Administration of Thomas Moonlight, 1885-1889.

The official correspondence of Governor Moonlight in the *Executive Proceedings of Wyoming* is voluminous. A large percentage of his letters are devoted to a discussion of economic conditions in Wyoming. The governor was convinced that the economic progress of the territory necessitated the breaking up of large ranches, less emphasis on cattle ranching, and the encouragement of mining and agricultural ventures. He wrote dozens of letters in an attempt to encourage the immigration of farmers to Wyoming. The University of Wyoming was opened during his administration, and the Moonlight records prove that the governor was opinionated concerning the financial administration of the institution and over the selection of the trustees, president, and faculty. Inquiries relative to the effectiveness of the cattle quarantine continued to be received by the chief executive, and Moonlight wrote detailed explanations to each correspondent. Many of his unofficial letters dealt with politics, an absorbing interest of the governor. The creation of new Wyoming counties, the appointment of territorial officials, the election of Congressional representatives, and the activities of party conventions were political affairs which he discussed at length in his official reports to Washington. Moon-

17. The writer has prepared a paper, "The Governorship of Wyoming, 1885-1889, A Study in Territorial Politics," which will soon be published.

light, as a non-resident of the territory,¹⁸ had never been popular with the majority of Wyoming people, and his attention to partisan politics antagonized the Republicans of the territory. A publicity campaign was organized by that party through the Territorial and County Republican Committees for the purpose of discrediting the Moonlight administration and supporting the reinstatement of Francis E. Warren. Hundreds of letters, petitions, and speeches, along with newspaper clippings from every paper in the territory were forwarded to the Department of the Interior and to the White House.¹⁹ The Warren boom had gained such momentum that his appointment was inevitable when Harrison, a Republican, was returned to the White House.

Second Administration of Francis E. Warren, 1889.

The second Warren administration existed during the closing months of the territorial period and the archival materials emphasize the approaching statehood for Wyoming. A manuscript copy of Warren's inaugural address of April 9, 1889, preserved in the Interior Archives, deals for the most part with the political and economic adjustments necessary before statehood could be attained. For the use of the Wyoming historian, a complete file of letters and telegrams has been retained pertaining to the proclamation calling the state constitutional convention, the convention's activities, the actions of Congress on the state constitution, and the final proclamation of statehood. Although the *Executive Proceedings* emphasize the the subject of statehood, the governor's official correspondence reveals a continuation of his interest in the suffrage question, the university, the cattle and sheep business, and the utilization of the territory's natural resources such as the improvement of Wyoming lands through irrigation projects.

The *Appointment Papers* for 1889 tell of the role of the Republican Party in securing the appointment of Warren as governor and John W. Meldrum of Laramie as territorial secretary prior to the achievement of statehood, and of the success of the party in the first state election.

18. Moonlight was a citizen of Kansas and had the support of the ex-Confederates in that state. Samuel D. Shannon, a South Carolinian who had been recommended by Governor Fitzhugh Lee and Senator Wade Hampton of South Carolina, served as territorial secretary for this four year term.

19. These records are available in the Appointment Division of the Interior Department Archives.

The Penitentiary Papers, 1870-1890.

In the *Executive Proceedings* of each of the territories, the records dealing with the construction of public buildings, such as the territorial capital or penitentiary, have been segregated and bound together as a separate collection. The *Penitentiary Papers of the Wyoming Territory* are in two sections. The first collection of manuscripts, dated from 1870-1878, relate to the Congressional appropriation for the construction of the penitentiary, its location by the territorial legislature, the selection of a superintendent of construction, the preparation of building specifications, the receipt of bids, the awarding of contracts, and the monthly reports of the superintendent on the progress of construction. Preparations were made for the enlargement and remodelling of the Wyoming penitentiary between 1886 and 1889 and the second series of manuscripts deals with the necessity for improvements, the granting of contracts, the progress reports on construction, and the final report of the committee appointed to inspect and accept the building for the federal government. No less than a hundred detailed reports, diagrams, specifications, and letters have been retained in this collection.

Wyoming Scrapbook

"PIONEERS—OH—PIONEERS"



SURVIVERS OF BLIZZARDS AND BUILDERS OF CAMP-FIRES.

Reading from left to right: Patrick Burns, came to Wyoming in 1868, an employee of the U. P. Railroad; James O'Brien, born at Fort Fetterman, his father being a member of the garrison; Malcomb Campbell, came to Fort Laramie in 1867; C. P. Arnold, president of the Pioneer Association, in 1869 came to Laramie with his father, Rev. F. L. Arnold; John R. Smith, dean of pioneers spent first winter in Bates Hole, Wyoming, in 1866; Bert Wagner, came to Laramie in 1869 with his father Henry Wagner; James Abney, an arrival in 1867, came with his father on the first construction to Cheyenne.

THE VANISHED FRONTIER*

"The vanished frontier was a sparsely settled region of the earth's surface where the men were men and the women were glad of it."

Did you ever stop to think of artistocracies—so many and so varied? There is the aristocracy of birth, to escape from which our republic was founded. There is the aristocracy of wealth, the ascendancy of which has always marked the decline and fall of nations. There is the aristocracy of office, with its transient lure. There is the military aristocracy, whose blind adherents have scattered war and wreck along the paths of men. And then there is that other aristocracy—the aristocracy of the pioneer—which we salute today. Look at his environment.

In 1869, when a boy barely nine years old, I exercised that dominion which characterizes the rule of childhood in an American home and induced my reluctant parents to migrate to the then Territory of Wyoming, bidding fond farewell to a prairie state, where the culture of Iowa, flanked by pungent rag weed, rose above the bottomless mud of the Mississippi valley to spread her earliest bloom. The first transcontinental railroad had just decorated the frontier with ribbons of steel when my father, a Presbyterian preacher, took advantage of the elevated platform of a mountain plateau to point out for men the path to Heaven. Nowhere in the wide world was there such desperate need for a servant of the Most High, although it must be said that nothing could be done to save the souls of the officials who manipulated the Union Pacific railroad.

I wish I could draw the picture of life on that frontier—a paradise for a boy! No artist with words or pigments can ever get it all in—the construction trains, coming and going, loaded with plows, scrapers, ties, railroad iron and railroad crews—the ox teams, long-horned, wending their way into the sunset—the emigrant's wagon, with its white dome and rattling tone—the Concord stage coach, emerging from one billow of dust to change horses and disappear in another—the shacks with false fronts—the tents of nomads—and that motley crowd of adventurers blown hither by all the winds of earth.

Statute law, including game laws, hadn't been invented. It was before the days of rapid-fire shotguns and automatic rifles. Antelope, so many that they were countless, grazed over the Laramie Plains. More than one variety of deer came down into the foot hills when winter snow drove them from the heights. Bands of elk pastured in many a mountain

*From a Pamphlet, "The Vanished Frontier," by C. P. Arnold.

park, with a sentinel on guard to give, when danger came, the whistle signal for them to disappear in the tall timber, laying antlers back on untamed shoulders as they ran. Covies of grouse and sage chickens blended the color of plumage with the tints of bush, rock and tree. The wildcat and the mountain lion had no need to travel far for food, and the cinnamon bear contested with his big brother, the grizzly of the Sierras, and his still bigger brother, the brown Alaska bear of the Aleutian Archipelago, for the proud title of being the most dangerous antagonist of man.

Life, back there, was an Odyssey, with an Anglo Saxon background. Things moved. Hard upon the heels of the moccasined trapper with his pack, came the homesteader with his ax, and hard upon the heels of the homesteader with his ax came the school-teacher with his spelling book. The log school-house rose on the frontier—primeval logs, cut, hewed, and laid by lonesome pioneers. It stood on Front street, which ended, both ways, just where the unfenced illimitable began. The day of vocational training had not dawned upon a startled world. Elective courses as yet had not been catapulted down the slopes of education. We were taught the three R's, "reading, 'riting, 'rithmetic." There were no architectural gymnasiums. Boys practiced athletics in street fights "just around the corner." Indoor swimming pools with tiled floors and furnace-heated water had never been heard of. We learned to swim at the river's bend in the big pool, floored with white sand and fed by a mountain stream, where the only towels we used, shivering on the bank, were furnished by the west wind.

That school was the "common school" of primitive America—the best institution of learning ever put on the boards—and twice a week on the side, the Baptist preacher inoculated my savage soul with the love of Latin.

We learned how to spell, those of us who ever could learn, standing up in a row with the best speller at the head, and my fixed position was third from the top. There were just three of us in the class. A girl stood at the head. Her name was May, and she was well named. Hers were the eyes of springtime. May, like every good speller, was conscious of her inherent superiority and looked down with well-bred condescension on the little boy who stood at the foot of the row. And yet hers was "the pride that goeth before destruction and the haughty spirit that precedes a fall." The time came when I stood at the head of the class. It was the sweetest triumph in my life.

The schoolteacher, spelling book in hand, gave out the word "Frontier."

"F-R-O-T-E-I-R," said May.

"Wrong," said the teacher. "Next."

The next boy was William Crout, a big, red-headed boy, who lived out on Sand Creek. He knew all about horses and was practiced in the pioneer art of throwing a lariat to catch the wildest bronco that ever loved the freedom of the plains. Bracing himself for the effort William coiled his mental rope, carefully estimated the distance between himself and the word, and threw the circling noose.

"F-R-O-N-T-I-E-E-R," said William.

"Wrong again," howled the teacher. "Next."

At last the moment had come, the supreme opportunity that comes in silence and never comes but once. That silence was appalling. You could have heard a pin drop. Everybody looked at me. Summoning every resource to my aid I gazed around the schoolroom for help and to gain time asked the teacher to pronounce that word again. He did so, looking at the book to be sure he could spell it right himself. Suddenly my wandering eyes were glued to the big door of the old-fashioned wood stove which stood in the middle of the room. It was a box-shaped stove, manufactured in St. Louis for the western trade, to take in a stick about three feet long, and there, on the stove door, in cast-iron letters four inches long, I saw the word "Frontier." It was the name of the stove.

"F-R-O-N-T-I-E-R" I shouted at the top of my voice, and marched to the head of the class.

Into this colorful, alluring, vacant land, rimmed by self-reliance, came the pioneer. Without knowing it, he was an actor in a play—the oldest ever staged—the drama of migration. The curtain rose on difficulty and adventure. Loneliness tented on the plain. Hunger lay entrenched in many a mountain pass. Death lurked in many a forest ambushade. There he played his part, trying to get somewhere no one else had ever been before, and do something no one else before had ever done—the last survivor of "The American Idea."

The first settlers in Wyoming, unlike those of sister states, did not move in social, political or religious groups. They were individualists, the product of an environment never to return. They stood out from the common herd. The pioneer had personality. His mentality was a complex not to be defined. Back of him lay the past haunted with tradition. Before him stretched an untrodden way wrapped in the glamour of romance. His soul was a battleground where two shapes—old homesickness and new home-building—struggled for supremacy, until he built with his own hands a home of his own.

Long ago as the West counts time, at the call of a great political party, then and now in the minority, Horace G. Alger of Sheridan, who was a candidate for Governor and I a candidate for Congress, were summoned to carry the standard of

Jeffersonian democracy over the plains and mountains of Wyoming in a futile attempt to rescue civilization. It was before the days of the automobile—thank God—and the “hello girl” still slept in a lap of a time to come. We invaded the wilderness with a team of half-broken broncos hitched, when things went well, to a rattling buckboard, and camped one night at a blacksmith shop just above the cottonwood grove where the sparkling La Puelle tumbles into the North Platte. In the early morning, when the dew was still on the grass, an emigrant showed up with two empty halters. He was looking for his team, which had made a get-away during the night. He spoke in the soft accents of the southland, and as nearly as I can reproduce it, this is what he said:

“BACK TRACKS”

Say, have you seen two hosses, Mister, a-goin' on the lope,
 That are branded on the shoulder Circle U?
 The gray mare's bruk her 'obbles, and the bay 'er picket rope,
 An' las' night they tuk back tracks fer Ol' Missou.
 Lit out fer Ol' Missou:
 We're a-foot, I'm tellin' you.
 In the moonlight pale they hit the trail,
 And left, fer Ol' Missou.

We're a'go'in' across the mountains to a place in Idaho,
 Whur my wife's sister's 'usband's got a staht.
 An' we're camped down in the bottom, not so very far below,
 The greasewood flat that bruk our hosses' haht.
 S' back t' Ol' Missou,
 The farm team fairly flew—
 They couldn't stan' Wyomin' san'.
 Raised back in Ol' Missou.

The peaks a-head kept foolin' us, and as far as we could see,
 Each day they backed up farther in the blue.
 Can you wonder thet them hosses got locoed with the thought,
 That our traipsin' hed no hoss sense end in view?
 Fer back in Ol' Missou,
 Worn road and by-path new,
 Led soon or late to farmyard gate,
 When day, and toil wuz thru.

As I left the camp at sun-up on this mornin's round-up job,
 Muh woman's eyes wuz brimmed with homesick dew,
 And she said with just a quaver that was half-way to a sob,
 "Them hosses hed more sense than we-uns knew."
 For the 'ome in Ol' Missou,
 Tugged at her heart-strings, too,
 And mother cried, while the bacon fried,
 For the home in Ol' Missou.

That's the home-sick side. But what modern psychologist has ever adequately appraised the satisfaction of the creative instinct when the first settler took out his first ditch to irrigate his frontier homestead. To awaken the abundant fertility of a thirsty soil and scatter the bounty of a mountain stream over gentle slopes is to paint a landscape with a higher artistic and economic value than ever any old master has ever put on canvas. This is what we are trying to say:

IRRIGATIN'

Dad, he likes to cogitate,
 Reuben loves to play
 With a pack of greasy cards,
 When he's feelin' gay.
 Sis adores to tango whirl,
 Where the fiddles play,
 But I prefer t' irrigate,
 A-making of the hay.

Dutch just talks about the war,
 As any neutral may;
 Windy Jim is great on sport—
 That's a cowboy's way.
 Aunt Lucile is daft on dress—
 Uncle's got to pay;
 But my main holt's t' irrigate,
 A-making of the hay.

I know folks who live in books,
 Or what the papers say;
 'N' dubs who dote on politics—
 Meet 'em any day.
 Then thur's some who practice art,
 A-trying to portray;
 But shucks! I like t' irrigate,
 A-making of the hay.

Just above the ditch's line,
Fields are dry and gray.
Where I take the water out,
Blooms are bright and gay.
Gladsome sheen has meadow green—
Green, because I stay.
Here—on muh job—'n' irrigate—
A-making of the hay.

The best description of the frontier ever given is this—
“The west is a sparsely settled region of the earth's surface,
where the men are men and the women are glad of it.”

Is that west “wild and wooly?” Freedom's feet are in
those wilds and of such wool her flags are made.

C. P. ARNOLD

President of the Wyoming Pioneer Association, (1929)

GEORGE MITCHELL AN INTERVIEW AT THE HR RANCH, UVA

By Virginia Cole Trenholm*

When I received a recent invitation to spend the weekend at the George Mitchell ranch, I accepted eagerly, because I had hoped that sometime I might have the privilege of spending an evening at this ranch home, and listen to Mr. Mitchell's delightful stories. I had wondered why an adequate biography had never been written of this interesting pioneer. I found that Mr. Mitchell is very reticent when being questioned about himself and does not care for interviews.

The “untamed West” has left little imprint on the manners of this pioneer, Charles A. Guernsey well said of him in his book “*Wyoming Cowboy Days*”. He is Scotch from the “rind to the core.”

George Mitchell, of Uva, Wyoming, was born in Aberdeenshire, Scotland, April 28, 1859, of Scotch parents, George and Barbara (Shives) Mitchell, also natives of Aberdeenshire.

George Mitchell grew to manhood and received his education in his native town; at the age of twenty he left Scotland,

*Mrs. Virginia Trenholm was born in Missouri; attended the schools and the University of Missouri from where she received her degree in Journalism. Was publicity director and instructor in English and Journalism at Stephens College for two years. Free-lancing during this period, she contributed to metropolitan newspapers and feature magazines.

Came to Wyoming in 1931. Married Robert S. Trenholm, a native of Platte County, Wyoming. The Trenholm family reside on a ranch near Glendo, Wyoming.



Mr. and Mrs. George Mitchell, Pioneers of Uva, Wyoming

came to America, settling at Milwaukee, Wisconsin, for about two years, when in 1881 he moved to Wyoming; in 1882 he organized a joint stock company, known as the Milwaukee and Wyoming Investment Company. He became a stockholder and manager of the Company. He bought the Heck Reel ranch on the North Laramie, west of Uva, where he engaged in the cattle industry on an extensive scale. In 1889 he resigned as manager of the HR ranch, moved to Casper, bought an interest in a lumber company, having yards in Casper, Douglas and Lusk. He erected the first building in Casper, occupying it both as an office and as a residence. He was instrumental in helping to raise funds to build the first church in Casper.

In 1886 was elected as member of the House, to the Territorial Legislative Assembly.

In 1890 was elected first mayor of Casper, also appointed one of the Commissioners to organize Natrona County. In 1892 he disposed of his lumber business and returned to Scotland, being called by the death of his father; he remained in his native land for about two years, during which time he was united in marriage to Miss Jeannie Moir, native of Aberdeenshire, on April 30, 1894. Mr. Mitchell returned to Wyoming, accompanied by his wife, in 1894. Upon his return he purchased the entire capital stock of the cattle company he had organized in 1882, and to this day has been a successful cattle man.

The Mitchells, members of the Presbyterian Church, were charitable, public spirited pioneers. Mr. Mitchell is affiliated with the Masonic fraternity, being a thirty-second degree Mason, and a member of the Commandery of Knights Templar, No. 1 and of the Consistory, No. 1 of Cheyenne. Was elected to the House of the State Legislature 1935.

He was president of the Stock Growers Bank of Wheatland for a number of years; was trustee of the Wyoming Stock Growers Association from 1908 to 1924, served as vice president of the Association in 1924, and treasurer from 1925 to 1931.

To this union was born four children, Mrs. Ruth Fancher, Uva; Jeannie Wilson, Casper; George Robert Mitchell, Uva; Margaret Wilson, Glendo.

The Mitchell family was saddened by the sudden death of Mrs. Mitchell April 25, 1942.

BILL NYE'S EXPERIENCE

By Bill Nye*

TELLS WHAT HE KNOWS ABOUT WOMAN SUFFRAGE

Wyoming enjoyed the distinction of having Edgar Wilson Nye (Bill Nye) among its honored citizens from 1876 to 1883. While editor of the Laramie *Boomerang* he achieved world-wide reputation as the most popular humorist of the day. He was particularly happy in depicting scenes of Western life, and the following sketch is no doubt largely based upon his actual experience:

A well-known editor in South Dakota writes: "We shall have to vote on the question of female suffrage here next fall. Will you kindly publish the results of your own experience during your eight years' residence in Wyoming, and also tell us what you know of the Legislature which framed the bill for that Territory? By doing this you will greatly oblige a number of us who have no knowledge of the practical working of the law."

Female suffrage, I may safely and seriously assert, according to the best judgment of the majority in Wyoming Territory, is an unqualified success. An effort to abolish it would be at once hooted down. Its principal opposition comes from those who do not know anything about it. I do not hesitate to say that Wyoming is justly proud because she has thus early recognized woman and given her a chance to be heard. While she does not seek to hold office there or act as a juror, she votes quietly, intelligently and pretty independently. Moreover, she does not recognize the machine at all, never goes to caucusses much; votes for the men who are satisfactory, regardless of the ticket, and thus scares the daylights out of rings and machines.

*Bill Nye was born in Sherley, Maine, August 25, 1850. His family moved west and settled in St. Croix County, Wisconsin when he was about two years old. He remained in Wisconsin until his twenty-sixth year; during this time he established a district school where he secured a considerable part of his education; studied law at an academy and a military school in River Falls; came to Wyoming settling in Laramie in 1876; here he became identified with the *Sentinel*, and later became editor and manager of the *Boomerang*, which paper he named after his mule.

He wrote several books, plays and contributed to many newspapers and magazines.

He married Clara Frances Smith on March 7, 1877. Their first children were born at Laramie.

Poor health necessitated his leaving Wyoming in 1883.

He passed away at Buck Shoals, North Carolina, February 22, 1896.

In saying this, I am not in any way compromising this paper. I am simply giving my own experience of eight years, during which time I have lived peaceably in the house with a fellow-citizen who did not always vote my way. We did not agree on religious matters, either, I being, perhaps more strict than my wife in such matters.

So much for the general impressions I still have of the practical workings of the law in a new Territory, when election day would shame the polls of any cultivated city of the effete East, where the day wore a Sabbath serenity. No rum was sold, women rode to the polls in carriages furnished by the two parties, and every man was straining himself to be a gentleman because there were votes at stake. A Wyoming election, as I recall it, was a standing rebuke to every Eastern election I ever saw.

The correspondent asks, however, for some desultory remarks on the passage of the bill and other attendant circumstances, and I gladly reproduce some of the speeches made in favor of the measure in order to show the originality and independence of thought, characteristic of the early Legislature.

A member whom I will call Mr. Bigsby, partly because I need a name for him and partly because that was not his name, was elected by the railroad men of the southern part of the Territory, and was a railroad man himself. He said in the course of his remarks: "Gentlemen, this is a pretty important move. It's a kind of wild train on a single track, and we've got to keep our eye peeled or we'll get into the ditch. It's a new conductor making his first run. He don't know the stations yet, and he feels just as if there were a spotter in every coach besides. Female suffrage changes the management of the whole line, and may put the entire outfit in the hands of a receiver in two years. We can't tell when Wyoming Territory may be side-tracked with a lot of female conductors and superintendents and a posse of giddy girls at the brakes.

I tell you we want to consider this pretty thorough. Of course, we members get our time check at the close of the term, and we don't care much, but if the young Territory gets into a hot box, or civilization has to wait a few years because we get a flat wheel, and thus block the track, or if by our foolishness we telescope some other Territory, folks will point us out and say, 'there's where the difficulty is.' We sent a choice aggregation of railroad men and miners and cattle men down there to Cheyenne, thinking we had a carload of statesmen for to work up this thing, and we are without airy law or airy gospel that we can lay our jaw to in the whole domain. However, Mr. Speaker, I claim that I've got my orders and I shall pull out in favor of the move. If you boys will couple onto our train, I am moderately certain that we will make no

mistake. I regard it as a promotion when I go from the cattle train of male ward politics to take charge of a train with a parlor car and ladies belonging to the manifest." (Applause.)

The next speech was made by unusual Barnes, owner of the Bar G Brand horse ranch and the crop mottle and key Q monkey wrench brand cattle on the Upper Chugwater. He said: "Mr. Chairman, or Speaker, or whatever you call yourself, I can cut out a steer or put my red-hot monogram on a maverick in the darkest night that ever blew, but I'm poorly put up to paralyze the eager throng with matchless eloquence. I tell you, talk is inexpensive, anyhow. It is run and hired help that costs money. I agree with the chair that we want to be familiar with the range before we stampede and go wild like a lot of Texas cattle just off the trail, traveling 100 miles a day and filling their pelts with pizen weed and other peculiar vegetables. We want to consider what we're about and act with some judgment. When we turn this maverick over to the Governor to be branded, we want to know that we are corraling the right animal. You can't lariat a broncho mule with a morning glory vine. Most always, and after we've run this bill into the chute and twisted its tail a few times, we might want to pay two or three good men to help us let loose it. However, I shall vote for it as it is, and take the chances. Passing a bill is like buying a brand of cattle on the range, anyhow. You may tally away ahead, and you may get everlastingly left with a little withered bunch of Texas frames that there ain't no more hopes of fattening than there would be of putting flesh on a railroad bridge."

The Legislature now took a recess, and after a little quiet talk at Colonel Luke Murrin's place, reassembled to listen to a brief speech by Buck Bramel, a prospector, who discovered the Pauper's Dream gold mine. Buck said: "Mr. Cheersman, I don't know what kind of a fist the women will make of politics, but I'm prepared to invest with surface indications. The law may develop a true fissure vein of prosperity and progress, or a heartbreaking slide of the mountain. We cannot tell till we go down on it. All we can do is to prospect around and drift and develop and comply with the United States laws in such cases made and provided. Then two years more will show whether we've got 'mineral in place' or not. If it works, all right, the next shift that comes to the Legislature can drift and stope and stump and timber the blamed measure so as to make a good investment of it for future history. We don't expect to declare a dividend the first year. It'll take time to show what there is in it. My opinion is that women can give this territory a boom that will make her the bonanza of all creation.

"We've got mighty pretty blossom rock already in the intelligence and brains of our women; let us be the means of her

advancement and thus shame the old and mossy civilization of other lands. Thus in time we may be able to send missionaries to New England. I cannot think of anything more enjoyable than that would be. I was in California years ago, up in the hills, looking for a place, and I ran into a camp in a gulch there, where the soft foot-fall of women had never mashed the violet or squeeze the fragrance from the wild columbine. At first the boys thought it was real nice. Everything was so quiet and life was like a dream. Men wore their whiskers flowing, with burdock burs in them. They got down at the heel. They got so depraved that they neglected their manicure sets for days at a time and killed each other thoughtlessly at times. They also wore their clothes a long time without shame. They also bet their dust foolishly, and the rum pathologist of the Little Nasal Dye Works got the wages of the whole crew. Bye and bye Yankee school marms and their brothers came up here, and everything was lovely; the boys braced up and had some style about 'em. It was a big stroke of good luck to the camp.

"I believe that the mother of a statesman is better calculated to vote than a man that can't read or write. I may be a little peculiar, but I think that when a woman has marched a band of hostile boys all the way up to manhood and give 'em a good start and made good citizens out of 'em, with this wicked world to buck agin all the time, she can vote all day, so far as I'm concerned, in preference to the man who don't know whether Michigan is in Missouri or St. Louis. I am in favor of making the location and going ahead with our assessment work, and I'll bet my pile that there hain't been a measure passed by our august body this winter that will show more mineral on the dump in five years than this one."

The closing speech was made by Elias Kilgore, a retired stage driver. He also favored the bill, and spoke as follows:

"Mr. Speaker—The bill that's before us, it strikes me, is where the road forks. One is the old guv'ment road that has been the style for a good while, and the other is the cut-off. It's a new road, but with a little work on it, I reckon it's going to be the best road. You men that opposes the bill has got ezzication—some of you—some of you ain't. You that has got it got it at your mother's knee. Second, the more Godlike we get, gentlemen, the more rights we will give women. The closter you get to the cannibals the more apt a woman is to do chores and get choked for her opinions. I don't say that a woman has got to vote because she has the right, no more than our local vigilance committee has got to hang the member from Sweet-water county because it has a right to, but it is a good, wholesome brake on society in case you bust a hold-back or tear off a harness strap when you are on a steep grade. The member from

Sweetwater county says we ort to restrick the vote privilege instead of enlarging it. He goes on to say that too many folks is already 'ntitled to vote. That may be. Too many maundlin drunkards that thinks with a fungus growth and reasons with a little fatty degeneration which they calls brains till they runs against an autopsy, too many folks with no voting qualification but talk and trowsiz, is allowed to vote, not only at the polls, but to even represent a big and beautiful county like Sweetwater in the Legislature.

"So we are to restrick the vote, I admit, in that direction and enlarge it in the direction of decency and sense. Mr. Speaker, men is too much stuck on themselves. Becuz they was made first, they seem to be checked up too high. The fact is that God made the muskeeter and the bedbug before he made man. He also made the mud-turtle, the jackass and the babboon. When he had all the experience he wanted in creating, he made man. Then he made woman. He done a good job. She suits me. She fooled herself once, but why was it? It was Monday. She had a picked-up dinner. Adam wanted something to finish off with. Eve suggested a cottage pudding. 'Oh, blow your cottage pudding,' says Ad. 'How would you like a little currant jell?' says she. 'No current jell, if you will excuse me,' says Ad. 'Well, say a sauceful of "tipsy parson," with a little coffee and a Rhode Island pudding?' 'Don't talk to me about Rhode Island gravies,' says Ad. 'You make me tired. Wash day here is worse than the fodder we had at the Gem City house on our wedding tower. I haven't had a thing to eat yet that was fit to feed to a shingle mill. Give me a fillet of elephant's veal. Kill that little fat elephant that eats the blackberries nights. Fix up a little Roman salad,' he says, 'and put a quart of Royal Berton sec on ice for me. I will then take a little plum duff and one of those apples that the Lord told us not to pick. Do that for next wash-day, Evie,' says Ad, 'and draw on me.'

"These was Adam's words as regular as if he had been reported, I reckon, and that's how sin come into the world. That's why man earns his bread by the sweat of his brow, and the tooth of the serpent bruises the woman's heel. Eve rustled around the ranch to get a little fresh fruit for Ad., and lo! the Deluge and the Crucifixion and the Revelation and the Rebellion has growed out of it.

"Proud man, with nothing but an appetite and sidewhiskers, lays out to own the earth because Eve overdrawed her account in order to please him. And now, because man claims he was created first and did not sin to amount to anything, he thinks that he has got the brains of the civilized world and practically owns the town.

“I talk with prejudice, Mr. Speaker, because I have no wife. I don’t expect to have any. I have had one. She is in heaven now. She belonged there before I married her, but for some reason that I can’t find out she was throwed in my way for a few years, and that recollection puts a lump in my throat yet as I stand here. I imposed on her because she had been taught to obey her husband, no matter how much of a dam phool he might be. That was Laura’s idea of Christianity. She is dead now. I drive stage and think. God help the feller that has to think when he’s got nothing to think of but an angel in the sky that he ain’t got no claim on.

“I’ve been held up four times, and I drove right along past the road agents. Drove rather slow, hoping that they’d shoot, but they seemed kind of rattled, and so waited for the next stage.

“It’s funny to me that woman who suffers most in order that man may come into the world, the one, Mr. Speaker, that is first to find and last to forsake him, first to hush the cry of a baby Savior in a Jim Crow livery stable in Bethlehem, and last to leave the cross, first at the sepulchre and last to doubt the Lord, should be interested with the souls and bodies of generations and yet not know enough to vote.” (Applause.)

I give the above simply to show the style of rhetoric in those days.

Wyoming Stream Names

By Dee Linford

CONCLUDED

NOTE—Below is presented the last of the articles whose purpose was to examine the historical significance of names applied to principal Wyoming streams, at present and in the past.

The term Popo Agie (pronounced popo-zsha) undoubtedly was originated by the Crow Indians who once lived along the important Wind River tributary which bears the name. There is disagreement, however, as to the words' meaning. Washington Irving translated them as "Head Water" or "Head River," and most later writers—including Philip Ashton Rollins—accept this interpretation. But an authoritative dissenting opinion is found in Cones (1898), in a quoted letter from Dr. Washington Matthews, late eminent Indian anthropologist and linguist, and author of the now rare *Hidatsa Dictionary*.

"Popo-agie is a Crow name," Dr. Matthews wrote. "As you know, Crow and Hidatsa (Sioux) are closely allied tongues; and as you know also, the sounds of 'o' and 'u' are easily interchanged in any language, English included. Now look at my Hidatsa Dictionary for the words 'pupu' and 'azi' (ahzhee), and put them together; then look for the word 'head' and see if you can make 'Head River' out of this name. Pupa is, I believe, the common reed, *Phragmites communis*."

Cones, on this authority, prefers the translation "Reed River" to Irving's "Head River." Still another interpretation of "popo" or "pupu" is listed by Clough as "bundles of rye grass, such as Indians used to shed rain from the wooden wickiup." This is not "reed" or "river reed," but the two types of plants could easily have been linked in the Indian mind.

The Wyoming Guide Book traces the names Bull Lake and Bull Lake Creek, both tributary to Wind River, to a Shoshone legend of a white buffalo bull which was chased into the lake by hunters who coveted his white robe. The bull drowned, and in winter the ice covering the water was said to rise and drop with a moaning, grumbling sound—which sound the Indians interpreted as the white bull's spirit roaring in anger. Because of this belief, they are said to have called the water both Bull Lake and "Lake That Roars."

At least two conflicting opinions account for the naming of Badwater Creek, one of the last affluents acquired by the Wind River before entering the canyon where it becomes the

Big Horn. One says the quality of its water inspired the stream's name, another relates that Indians bestowed the appellation after floodwaters from a cloudburst had swept away an encampment near its mouth.

Kirby Creek, according to the Hilliard S. Ridgely papers (Thompson), derived its name from J. R. Kirby, first settler to locate on its banks, in 1880. The names Nowater and Nowood are descriptive. The term Tensleep, applied to a major fork of the Nowood, commemorates an Indian custom of reckoning time and distance in "sleeps." A favored camp-site along the stream's banks was said to have been "ten sleeps," travel from Fort Laramie in one direction and a point in Yellowstone Park in the other.

The Greybull River was named, according to the Wyoming Guide, for Indian Pictographs on a cliff overhanging the water which depicted a great buffalo bull with an arrow through its body. A second legend says the name was inspired by an old grey buffalo bull which ranged the river's banks. The former version appears to be the more probable. At any rate, the name is very old; Irving more than a hundred years ago listed the stream as "Bull River." Meeteetse Creek, tributary to the Greybull, has an Indian name translated both as "far away" and "near by" (Clough).

Shell Creek's name, to quote from Clough, is "by some attributed to a cowboy, Dick Shell, who picked the town site; but the presence of a Shell River on Irving's 1837 map, as well as of a Shell Creek on Colton's map of 1869, and on maps of the 70's (where a Shell River farther south is also found once or twice), would seem to cast doubt on the legend of a cowboy, or give credence to the suggestion that the name came from shells along the stream."

White Creek, a branch of the Shell, was named for a Charley Smith, trapper, who was murdered on its banks in 1880 (Ridgely papers).

The Shoshone River, last tributary of note acquired by the Big Horn River in Wyoming, was known prior to 1901 as the Stinking Water. The name is shown on Clark's map of the Northwest, of 1814, and was apparently bestowed by John Colter who discovered the river in 1807. A Wyoming Legislature arbitrarily declared its name to be "Shoshone River" in 1901, at the behest of finical citizens who desired a more euphonious and less descriptive title for their river. The term "Shoshone," applied to the river from the Indian nation most commonly associated with Wyoming, is said to mean "abundance of grass" and "grass lodge people" (Clough).

Carter Creek was said by Ridgely to have been called for Charlie Carter, early Big Horn Basin settler, who founded the

famous Bug Ranch in 1880 on the creek which now bears his name.

Sunlight Creek, tributary to Clark's Fork, is said (Clough) to have been named by prospectors who, lost in a fog, suddenly looked down into the creek's basin, and found it flooded with sunshine.

The Tongue and Powder Rivers—last two important tributaries received by the Yellowstone River from Wyoming—both find headwaters on the east slope of the Big Horn Mountains. Both titles date back to Lewis and Clark, and both undoubtedly are translations of Indian names, applied before the coming of the whites.

Clark's journal recording his journey down the Yellowstone in 1806 tells of camping on a stream "called by the Indians 'Lazeka, or Tongue River.'" On Lewis' map of the Northwest, the form of the Indian term is rendered "la-ze-ka." The explorers make no attempt to account for the unusual appellation. There is a legend which says the stream was so styled for a tongue-shaped mountain near its head, but verification of this appears to be lacking.

Record of the naming of Powder River is even less satisfactory. "The water is very muddy," the Lewis and Clark Journal reports, "and like its banks is of a dark brown color. Its current throws out great quantities of red stones; which circumstance, with the appearance of the distant hills, induced Captain Clark to call it the Redstone, which he afterwards found to be the meaning of its Indian name, 'Wahasah'."

Clark did not list the name "Powder River," even as an alternative title. But Lewis, who did not visit the stream, identifies it on his map as the "War-rak-sash or Powder R." Clark's "Wahasah" and Lewis' "War-rak-sash" undoubtedly are variations of the same Indian term, and Clark elsewhere varied his spelling even closer to Lewis', with "War-har-sop," still insisting on the translation "Redstone." But in 1811, only five years after Clark had discovered the stream, Wilson Price Hunt referred to it as "Powder River," without qualification or explanation—indicating that the latter name was well established at that time, three years before Clark's map was published.

Thus, the significance of the term "Powder River," which has come to be somehow symbolic of the whole romantic notion of the West, is not known. Some suggest it may have been named, like the Cache de la Poudre of Colorado, from some early trapper's cache of gunpowder. But Clark's statement that the Indian name "Redstone" was inspired by the stream's flow, and Lewis' translation of the same Indian term to mean "Powder," promote belief that the appellation Powder River

was applied out of regard for the river's sandy banks and sand-laden waters.

The Powder, reputed by legend to be a mile wide and an inch deep, and to run uphill, arises in Natrona County and acquires numerous tributaries from three other counties before crossing the State-line, to join the Yellowstone in Montana. Names of many of these forks are as arresting as that of the parent stream, and their origins are likewise as obscure.

Crazy Woman Creek, according to an item appearing in the Wyoming Leader of July 26, 1877, was the "haunt of a crazy old squaw . . . On moonlight nights the old squaw was often seen seated in her light canoe, shooting its rapids, jumping its numerous falls, and thus leaping from village to village like a very spirit. The Great Spirit had laid his hand upon her; hence she was not molested by any of the tribe, and her comings were looked upon as good medicine, and were often followed by the successful chase, or a victorious battle with their (the Sioux's) old-time enemies, the Crows, whose home was in the adjacent (Big Horn) mountains."

This legend of the demented squaw makes its first appearance in the report (Coutant) of Captain H. E. Palmer of the Seventh Iowa Volunteer Cavalry, who accompanied General P. E. Connor on the bloody "Powder River Expedition" from Fort Laramie in 1865; it has been repeated, with variations, in many later works. There is, however, another version of the meaning of this name. Coues (1898) lists the word *witkowi* as the Indian equivalent of prostitute, and gives its literal translation as "fool woman." From this, some sources take the view that the stream was known to Indians as "Prostitute Creek," and that whites in adopting the name lost its true significance—as often was the case in such adaptations.

The presence of a second Crazy Woman Creek in Wyoming (tributary to the Cheyenne River) implies that the term may originally have had some such general significance to the Indian mind, and did not arise from a specific incident, such as that reported by the legend of the demented squaw.

Teapot Creek and Castle Creek take their names from suggestive rock formations along their courses: Teapot Dome, which achieved national notoriety in the oil scandals of the 1920's, takes its name from the creek. The terms Clear, Salt, Alkali, Dry, Bitter, Red, etc., as applied to Powder River tributaries, are descriptive. Spotted Horse, Wildhorse, Rawhide, Wildcat, date back to early times, and—like most salty western place names—they seem to have no definite beginning.

Reminiscences of Frontier Days

By M. Wilson Rankin

The following are excerpts from M. Wilson Rankin's book, "Reminiscences of Frontier Days" which was produced from his diary written for private use only. Because of many requests for copies of the diary, a limited number of these books were printed.

RAWLINS, WYOMING

A Distributing and Supply Point

When construction of the Union Pacific Railroad was completed through Wyoming in 1868, Rawlins was located at Rawlins Springs, named in honor of John A. Rawlings who was in command of a military expedition of exploration that camped at the springs for some time in 1857. From 1868 supplies were shipped to Rawlins annually by the government for delivery to the White River Ute Indian Agency, Shoshone, and Arapahoe Agency, and the military post of Fort Washakie. All of these except the White River Agency were located in the Popo-agie and Wind River Valley 150 miles northwest of Rawlins. Mail was delivered to these agencies by horseback; semimonthly in winter and weekly in summer.

A description of the route from Rawlins to the White River Agency is included as a background to assist in the description of later activities along the route. (Thirty miles south of Rawlins the road crossed Muddy Creek, and the Denver, Salt Lake and Overland stage road, and frequently referred to as the Bitter Creek route.)

(By 1862, mining had come into prominence in Colorado. Denver was growing; Indians had become more troublesome to stage and immigrant travel on the North Platte route. The stage line and practically all traffic between Missouri River points, Salt Lake and northwest territory, was shifted to the Bitter Creek route.)

(Fort Morgan was established on the line at the crossing of the South Platte River and the junction of the Denver branch. Fort Halleck was also established on the line at the foot of Elk Mountain on the same date. The stage line was operated by Ben Holladay.)

At Muddy Creek crossing was Sulphur Springs Stage Station, with a history of Indian depredations such as attacks on stage coaches traveling on the route within its radius. On the hillside a few hundred yards from the station were eight markers representing fatalities. From information passed along,

five persons were killed by Indians, one was killed during a drunken carousel, and two immigrants died from natural causes.

The following information was obtained from Herman Haas who was a long-time resident of Cheyenne. He had been a private soldier at Fort Laramie in 1862, and one of an escort of soldiers when stage coaches and other stage equipment was being transferred from the North Platte route for service on the Bitter Creek route by way of Independence Rock, Devils Gap on the Sweetwater River, and through a gap in the Ferris Mountains. At this point the escort found two soldiers who had dropped out of an escort of soldiers who had preceded them on a similar mission. They were lying beside the roadside in a stupor from liquor. The officer in charge poured out their supply of liquors from bottles, got them on their horses, and started them on the way to overtake their troop. From this occurrence, the pass received the name of Whiskey Gap.

Five miles farther south the escort found another soldier of the same party as the other two. He had fallen by the wayside at a spring branch. At his awakening from a stupor, with a befuddled brain, he was bewildered and lost, not knowing in which direction to go to find his comrades. He was directed on his way by the officer in charge. From this incident, the spring branch was given the name of Lost Soldier.

The Holladay stage line was abandoned shortly after the completion of building of the Union Pacific Railroad which paralleled the stage route. Immigrant travel continued, but gradually dwindled to a mere dribble by 1885.)

Sixteen miles south of Sulphur Springs, the agency road crossed the old Cherokee trail. From history we learn the Cherokee Indians disposed of their lands in southern Georgia in 1853, and with horse and ox teams, herds of cattle and other belongings trekked their way across plains and mountains without road or trail to guide them on their way to California in search of gold and a country where they could make homes for their people. The trail at this point, and for many miles, is plainly visible and can be traced in many places across southern Wyoming at the present time, although it is three-quarters of a century since it was traveled.

Judging from their zigzag trail which passed through rough mountain country, the Cherokees were poor guides. Their trail at several points within Wyoming being six to ten miles south of the more feasible and later-established Denver and Salt Lake Route. They possibly selected the mountainous route with a view to prospecting for gold where conditions seemed favorable.

Continuing south fifteen miles, Muddy Creek forms a junction with Little Snake River. The latter stream derived its name from the Snake Indians (one of the Shoshone tribes), who, because of a tribal custom, were noted for their weird snake dance, and who inhabited this valley until driven out by Arapahoe and Ute Indians.

Besides the Arapahoe and Ute Indians claiming the Snake River country for their hunting ground, the Sioux and other Indian tribes drifted, at times, to these parts for a hunt.

(Two miles south of the above mentioned junction the road crossed the Colorado-Wyoming line and followed the course of Four Mile Creek to the divide, thence along the course of Fortification Creek to the mouth of Little Bear Creek where the road bore to the east across the mesa to Bear River at the junction of Elkhead Creek. From Bear River Crossing the route was in a southwesterly direction over a high divide to Williams Fork (a tributary of Bear River), thence crossing near the head of Deer and Morapos Creek to Stinking Gulch, so named because of sloughs where black mulch with bad-smelling odors arose. At this point the road was joined by a trail from Bear River Road Crossing. It was a short-cut on the route by way of lower Morapos Creek, and was known as the Morapos trail. It was first traveled by Indians, and later all horseback travel, including the U. S. mail, went over this trail. Many years later the "Iles Oil Dome" was discovered in the Stinking Gulch district.

The agency road continued over a low divide and along the north side of Milk creek to where the Creek turned north through a canyon in the Danforth Hills. This string of hills was named after Ute Indian Agent H. E. Danforth who had become lost during a snow storm, spending one night out while on a hunt for deer. From Milk Creek Crossing, the route followed Beaver Creek, which is a narrow ravine. At Milk Creek Crossing a short-cut trail led straight ahead over hills, joining the road on Beaver Creek, thence over a low divide following the downward course of Coal Creek. This creek took the name after a coal vein had been opened to supply fuel for the first White River Agency, which was six miles east of the mouth of Coal Creek and situated near the foot of the mountains at the east end of White River Valley, where the history-making trail ended 165 miles from Rawlins.

During the life of the White River Ute Indian Agency, a number of men had been assigned to the position of agent, but owing to the roving and unruly disposition shown by the Utes and isolated location of the agency, each became dissatisfied or was removed for cause, leaving the job after a short term of years. Names of these agents were A. J. Beck, Charles N.

Adams, J. S. Littlefield and H. E. Danforth, who was succeeded by Nathan Cook Meeker.

The names of some of the first to carry the mail by horseback from Rawlins to the White River Agency were Jerry Huff, Charlie Lowry, Joe Rankin and Joe Collom.

DISCOVERY OF GOLD AND FIRST MINING AT HAHN'S PEAK

Gold was discovered by Joseph Hahn and Captain George R. Way, who had come from Illinois in 1860. They spent part of that season prospecting on the eastern slope. Leaving Empire with pack burros late in the season to prospect on the western slope, they arrived at the peak late in the fall, where they found gold in gulches at the foot of the peak. Heavy snows came before much prospecting could be done. They had but a small supply of provisions, so they returned to Empire and to the states for the winter, expecting to return to the peak in the spring. During the winter, they entered into an agreement with William Doyle, a friend and neighbor, to join them and renew the search for gold.

In 1861 the civil war began. Way and Doyle enlisted and served three years in the army. After their discharge from the army, Hahn and Way renewed their former agreement with Doyle to return to the peak and begin mining on their discovery. Late in the summer of 1864 they again outfitted at Empire for their journey to the peak. They arrived again too late to prospect or to build a cabin and prepare for winter. Having but a small supply of provisions for three men, Captain Way returned to Empire with the burros, expecting to return with supplies.

Deep snows came and he could not return. The snowfall was heavy about the peak. Deer and elk that were in the vicinity when they first came and of which they expected to get the greater part of their food supply for the winter, had drifted to the lower altitude during the first snows.

Early in March, after much privation (their provisions being exhausted and starvation threatening them), Hahn and Doyle started to Empire on foot over crusted snow which broke through part of the time. They got as far as the head of Muddy Creek, a few miles below Rabbit Ear peak, when Hahn became exhausted and sick. Lying down in the snow, he could go no farther. Doyle stayed with him for some time, but Hahn became worse. Doyle, in fear of losing his own life by further delay, left Hahn to die and made his way toward

Empire, stopping at Gus Reader's trapping camp in upper Middle Park. He stumbled in, completely exhausted from cold and hunger.

After a rest and recovery of strength, he made his way to Empire. At the break of spring, Doyle and Way returned to look after Hahn's remains. They never returned to the peak. Later, when mining began at the peak, it was named Hahn's Peak, and the gulch in which gold was first discovered was named Way's Gulch.

FIRST MINING AT HAHN'S PEAK

as told by

Bill Slater and Bibleback Brown

The first mining done at Hahn's Peak was in 1869 by William (Bill) Slater and partner, known to pioneers of Snake River by no other name than Bibleback Brown. Slater had lived in Denver. He joined the third Colorado Cavalry in 1863. He was with Colonel John M. Chivington in the battle of Sand Creek against a band of 300 southern Cheyenne Indians, forty miles north of Fort Lyon, in November, 1864. During the thick of the fight, Slater followed one of the tribe a considerable distance along a deep wash-away from the battle-ground before getting a chance to kill. When returning by the same route, he found a small Indian boy who had wandered away from the camp during the fight. He took the boy on his horse, thinking to save the youngster's life. Before he got to where the slaughter was going on, he thought of the instructions given by the stern commander (Chivington, that "nits become lice"—that young and old must be exterminated. He left the boy alive by a cottonwood tree, never knowing what became of him afterwards.

In 1868 Slater was employed on construction work of the Union Pacific Railroad in Wyoming. During the winter months he was employed at U. P. construction at Rawlins. Brown at that time was camping twelve miles north of Rawlins in the brakes of a spring branch which later was named Brown's Canyon (by the citizenry). He had been furnishing game meat for the Union Pacific Railroad construction crews. He had been trapping in the Snake River and Hahn's Peak country two years before, where he found mining tools and other indications of prospecting that had been done by Hahn and Way.

Slater was about 40 years of age; Brown five years older. (According to frontier custom, when meeting in a saloon they

became pals by joining socially with many drinks). When tuned to the point, Brown confided his secret of gold discovery to Slater. (In the spring of 1869, they joined in outfitting with saddle and packhorses, provisions and necessary prospecting equipment, and went to work on the prospect. The greater part of the season was spent prospecting. They found gold in other places about the peak. They collected some gold by panning. They built a cabin and made preparations for mining the next season. When deep snow came, they moved to Snake River Valley, and built a cabin near the mouth of Savery Creek. Brown went to Rawlins for winter provisions and his traps, which he had left at Rawlins. They did some trapping that winter.)

In the spring of 1870 they returned to their claims and began mining by sluicing over riffles and flume of crude construction. They were joined later in the season by Dave Miller and George Howe, who wandered in while on a prospecting trip from east of the range. They located claims on Poverty Hill, a short distance from Way's Gulch. The only other changes in the monotony of their isolated job was when they were visited by bands of Ute Indians while on their customary ramblings when hunting each season. In their clean-up of the season, Slater and Brown had enough of the yellow metal to pay them well for their season's labor. Miller and Howe joined them in going to the valley for winter quarters.

(During the mining season of 1871 the four miners were joined in search for gold by I. C. Miller and W. R. Cogswell. They had come from Rawlins. They also located claims on Poverty Hill. At the close of the mining season, Miller and Cogswell returned to Rawlins for the winter while the other four went to their winter cabins in the valley, and Brown went to Rawlins for winter provisions. While at Rawlins, Brown met Noah Reader who was camped at Rawlins Springs. He was on his way west from Missouri with his family of wife and three sons, George, William and Albert. They were traveling by ox team and covered wagon with a small herd of cattle. During their conversation Reader told Brown he was looking for a country in which to make a home for himself and family. Brown told him that Snake River Valley was a good place to winter his stock, and if he wished to go, that he himself was going out next day and would be glad to show him the way. Reader's stock being footsore and tired, he decided to go with Brown. He located by a wall-rock ledge near where Brown and Slater spent their winters.)

Reader set about at once to erect a cabin of cottonwood logs for a home. Brown and Slater assisted him to build. The Reader family were permanent settlers and the first to build

a home in Snake River Valley. Slater later homesteaded on a creek south of Snake River, which was given the name of Slater Creek. Brown was the scout and first to travel the short-cut route from Snake River by way of Five Buttes and Pine Grove, to Rawlins. A steep hill on the route between Snake River and Five Buttes was named Brown's Hill.

In 1872, Will G. Reader (second son of Noah Reader) was employed at mining at Hahn's Peak by Brown and Slater. After a busy season of panning and sluicing, the seven miners felt well paid for their labor. Other prospectors joined in the hunt for gold about the peak during the season.

Brown and Slater were good pals; honest whole-souled, and fond of drink from the cup that cheers. The little brown jug of tonic was often included in their stock when purchasing provisions for their camp. The gold pan served the prospector to mix his bread: as wash pan, and many other camp conveniences.

ACCESSIONS

to the

WYOMING HISTORICAL DEPARTMENT

August 2, 1943 to December 31, 1943

Miscellaneous Gifts

Woman's Relief Corps, J. F. Reynolds No. 9 donor, through Mrs. Elizabeth S. Graeber, and Mrs. Elizabeth Braunschweig, of an American Flag, and W.R.C. No. 9, badge attached.

Braunschweig, Mrs. Elizabeth, Cheyenne, Wyoming, donor of two framed photographs; one of Thomas Castle and John C. Argesheimer, and one of Arthur Mahar and Thomas Castle. Large knife brought from the Philippines after World War I by a Mr. Foster and presented to Thomas Castle.

Gould, Charles A., 1228 16th Street, Washington, D. C., donor of eight snapshots of old buildings at Fort McKinney.

Beach, Major Alfred H., donor of seventeen long photographs of World War I scenes; five photographs, military groups, World War I; 60 picture post cards mostly French scenes; eight pamphlets, thirteen articles, typewritten and longhand; ten old State newspapers; sixty-four newspaper clippings of people and places in Wyoming.

Gereke, A. J., of Cheyenne, Wyoming, donor of seven cuts, one of the Central School, one of Theodore Roosevelt, the signatures of Frank Emerson, James B. True, Samuel Corson, A. W. French, Mrs. V. S. Glafcke Flower Shop sign; two imprints of these seven cuts; photograph of Hugh L. Patton, U. S. Marshal; photograph of the dog "Tony" used by Mr. Ripley in his newspaper article "Believe it or not"; letter by Mr. Gereke to Mr. Ripley and a postcard from Mr. Ripley; two 1910 baseball posters; one poster advertising an aviation meeting 1911.

Davis, Mrs. James, Laramie, Wyoming, donor of one group picture of Patrick Burns, James O'Brien, Malcolm Campbell, C. P. Arnold, John R. Smith, Bert Wagner, James Abney; a sea horse; *The Vanished Frontier*, pamphlet; Court House scene at Laramie 1886; two photographs of Dale Creek Bridge; two photographs of a wreck on the Union Pacific Railroad.

Brosnan, Dominic A., East Natick, Massachusetts, donor of a print of Fort Bridger 1858; poem, "Man to Brother Man" by Mr. Brosnan.

Books—Purchased

Johnson, Allen—*The Historian and Historical Evidence*, New York, Scribners, C 1926. \$1.80.

Emmons, Della Gould—*Sacajawea of the Shoshones*, Portland, Oregon, Binsford & Mort, C 1943. \$1.80.

Annals of Wyoming

Vol. 16

July, 1944

No. 2

A HISTORICAL MAGAZINE

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OF THE
UNIVERSITY OF WYOMING
LARAMIE



BILL BARLOW'S BUDGET OFFICE, 1886, DOUGLAS, WYOMING

In front of the Office are Frank Barrow, Mrs. Merris C. Barrow, M. C. Barrow, Sam Slaymaker, and one of Mr. and Mrs. Barrow's daughters. The sign on the second building is, "Henry Rokahr, Harnesses, Boots, Shoes and Farm Implements." The Law Office is, as near as we can ascertain, the law office of Alex Buttler, a lawyer in old Douglas. (For history of paper see Page 166.)

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The Wyoming State Historical Department invites the presentation of museum items, letters, diaries, family histories and manuscripts of Wyoming citizens. It welcomes the writings and observations of those familiar with important and significant events in the State's history.

In all ways the Department strives to present to the people of Wyoming and the Nation a true picture of the State. The historical magazine, ANNALS OF WYOMING, is one medium through which the Department seeks to gain this objective. All communications concerning the ANNALS should be addressed to Mary A. McGrath, Wyoming Historical Department, Cheyenne, Wyoming.

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The Meeker Massacre

FROM

REMINISCENCES OF FRONTIER DAYS

By M. Wilson Rankin*

The Secretary of the Interior, after receiving the resignation of H. E. Danforth, to take effect July 1, 1878, when casting around about to find a man for the job, learned of Meeker and of his success in establishing the Union Colony; his interest in Indian affairs, and his ideals for civilization and education of the Indians. He was appointed agent. He was a dreamer of higher ideals. He visioned the Indians could be civilized and become self-supporting by teaching them how to farm.

Nathan Cook Meeker was sixty-four years old. He had been one of the editorial staff of the New York Tribune for several years. With advice and financial assistance from Horace Greeley, he organized the Union Colony, which was incorporated in the name of Greeley.

He moved with his family to Colorado in 1870. He established and was editor of the Greeley Tribune.

Meeker arrived at the White River Agency from Greeley in the latter part of June, 1878, to take the job of agent. He traveled by rail to Rawlins, and south to the agency by buckboard mail stage.

Meeker Decided to Move the Agency

The Agency was situated near the mountains where the snowfall was heavy. Meeker inspected the lands adjacent to the agency, as to whether suitable for agriculture. A few tons of wild hay had been cut each season for winter use, but no farming had been done.

He looked over the entire White River Valley within the reservation. He selected the Powell Bottom, twelve miles down the river from the old agency, as the most suitable place for the agency to farm. He made his decision known to Chief Douglas, who, with his several sub-chiefs, held council and made strong protest, declaring that the Powell Bottom furnished the best winter grazing for their ponies, and if the agency was

*Mr. Rawlins designated himself as "The Rider" all through his writings.

moved there, the grass would all be used in the summer, and they would not adhere to the idea. Regardless of the chief's objections, Meeker went ahead with his plan. He started employees at moving the buildings which were composed of rough cottonwood and pine logs.

Powell Bottom derived its name from Major J. W. Powell, who, with a party of scientists, camped on the bottom for several months during 1869. They were engaged in exploring the rims of the Colorado, Green, and Bear River canyons and other sections for minerals. Since it was a government expedition, they were permitted to camp within the reservation lands.

Activities at the White River Agency in 1878 **Confirmed by Joe Collom**

A New Mail Contract Was Let

Meeker applied to the postoffice department for an increase in mail service to the Agency, and the weekly mail between Dixon and the Agency was increased to semi-weekly, July 1st, 1878.

Meeker's Family Moved to the Agency

When Joe Collom arrived at the Agency with the last mail of the Collom-Dutch Bill weekly mail contract between Dixon and the Agency, he was open for a new job. He was introduced and recommended to Mr. Meeker as a reliable man, by Mrs. H. E. Danforth, postmistress at the Agency, and wife of the retiring agent.

He was employed by Meeker. His first job was to drive an Agency mule team with camp equipment to Rawlins and bring back Mrs. Teresa Meeker, aged sixty-seven, and daughter Josephine, aged twenty, and Windfield Fullerton, a young man of Greeley, who was a visitor.

The second night from Rawlins on their way to the Agency, they camped at Cold Springs near Fortification Rocks, the noted rattlesnake den. They found a number of rattlers coiled under sage brush near the spring. They all joined in exterminating all that could be found near camp. Although not having the protection of a tent, they were not molested during the night.

They arrived at Powell Bottom the following day, and joined Mr. Meeker in camp where the buildings of the old Agency were being erected for the new Agency.

Ute Customs

It was a custom of the roving Ute bands (Colorow, Washington, Sowawie, Cup-Ears, Jaek and others), while hunting each season in the Bear and Elk Rivers, North and Middle Park country, to join in camping in Upper Middle Park, where they engaged in sports such as horse-racing and foot-racing among themselves. At times they were joined in their sports by the whites.

From this camp, leading chiefs with small parties would visit at mining towns and at Denver, to view the sights, tramp the streets, and sit on the curb for a few days.

If they had a grievance at the Agency, they would seek a conference with the Big Chief (governor), relating their troubles and asking his aid in securing relief for them through the Washington government.

Tabashie Killed

In August, 1878, the several Ute bands had congregated in camp on Frazer Creek below the Cousin's ranch, and near the Junction ranch which received the name because of being located at the junction of the Empire and Blackhawk roads. The ranch was owned by Wm. Hamil of Georgetown. John Turner was in charge.

Chief Washington and Piah, with a band, had been on a roving and foraging trip on the South Platte and plains east of Denver, where they harrassed settlers, shot and wounded one, McLane.

They had returned to Frazer Creek, locating their tepees on the Junction ranch meadow. Turner was mowing hay. He was angered by their trespassing, and ordered them to move. He was greeted by a tirade of abuse in the Ute tongue. Advancing in a threatening manner, a band of eight Utes, led by a young buck named Tabashie Nee-Tab-cht, (grandson of old Chief Yarmony) and known to the whites by the name of Sugarlip, literally cut the harness from the team with their hunting knives. The Utes, being armed, Turner was powerless to make resistance.

With a view to complying by law for protection of his property, Turner sent a courier post-haste to notify Sheriff Mark Bessy, at Sulphur Springs, who organized a posse of eight special deputies to accompany him. The names of some of these were Frank Anderson, George Clark, Frank Byers, John Turner, Charley Royer, and Frank McQuery.

When the posse arrived at the Junction ranch and Ute camp, the Utes were horse-racing a quarter of a mile away. They had left their rifles in their tepees. The posse seized the rifles and held them under guard at the Junction ranch.

Since the race-track was out of view of the camp, the bucks were notified by one of their tribe. A band of bucks appeared at the Junction ranch and demanded the rifles, which were refused them by the sheriff. Sugarlip, who was leader in the harness cutting, made a break to seize the rifles. He was shot dead by Frank Anderson. With the leader dead, Sheriff Bessy decided it was not good policy to make arrests at that time. After the sheriff had talked with some of the older chiefs, the affair quieted down and the rifles were returned.

Junction ranch is now the townsite of Tabernash, from the above mentioned incident. It was given the name by E. A. Meredith, chief engineer of the Moffat Railroad when it was built in 1902.

The Utes Kill Old Man Elliot

The same band of Utes, when on their way to the Agency, killed old man Elliot, living on the Blue River. They held a grievance against Elliot, from the year before when he refused them food. Some settlers thought the murder was to avenge the killing of Tabashie. Elliot was killed while chopping wood by the side of his cabin. When the news reached Sulphur Springs, Sheriff Bessy, with a posse, went to the Blue River in search of the murderers, but failed to find them. They had fled toward the Agency. A few days later Sheriff Bessy, with three special deputies, went to the White River Agency to arrest the guilty Utes. Agent Meeker was not at headquarters when they arrived. He was at work a few miles out on the reservation. The sheriff made it known to Mrs. Meeker that he wished to see Mr. Meeker on important business. Pah-viets, a trusty Indian, was sent to call Meeker. When he arrived the sheriff told him his mission and asked his assistance in finding the criminals. Meeker called Chief Douglas, and they conferred with him in the matter. Douglas said that no Utes could be arrested on the reservation by civil authorities. Nothing was done at that time to avenge the murder of Elliot.

Pah-viets and Jane

In September, 1878, work was progressing at the Agency. Living quarters had been completed. The agent and family had moved in. Pah-viets and his squaw, Jane, were helpful with the work. Jane, when a small girl of six years, was adopted by Judge Carter, post-trader at Fort Bridger, from the Uintah tribe. The Carter family bestowed on her the name Jane. While living with the Carter family, Jane learned to talk and understand English and to do house-work. When

at a marriageable age, Pah-viets of the White River tribe won her for his squaw. Jane acted as interpreter and reporter for the Utes at the White River Agency.

Meeker, in order to encourage the Indians in gardening and raising vegetables for their own use, had his men prepare the ground and help Jane plant vegetable seeds. She took care of the plants by the advice of the agent and raised a fair crop.

Roving Bands Return to the Agency

In September, 1878, roving bands were drifting to the Agency and setting up their tepees in the form of a village near the new Agency, and near the river bank. Chief Johnson had spent the greater part of the summer at the Agency, he being chief medicine man, with some influence in the tribe. He was about fifty-five years old, of stocky build, with slovenly and greasy make-up. He had two wives. The older one was named Susan, and she was a sister of Chief Ouray. The younger squaw was named Cooz.

Meeker made known to the chiefs his plans for farming and requested the assistance of all Utes with the work. The chiefs did not take kindly to his advice and discouraged it with others of the tribe. Meeker, in order to demonstrate his good intentions for their welfare, had a house built for Johnson, near the Agency. He told others of the tribe that they could all be living in a house like Johnson's if they would assist with the work and learn to farm. (To live in a house was no inducement for an Indian to work).

John Collom, a brother of Joe Collom, was employed by Meeker at the Agency. Being a young man of twenty years, he was apt in learning the Ute tongue. Besides general agency work, he acted as interpreter between Agent Meeker and the Utes.

Josephine, Meeker's daughter, had won the good graces of the Indian children and was teaching them in school and Sunday school as well.

Meeker Contracts Building of Ditch

In September, 1878, Ed. E. Clark, civil engineer of Greeley, was employed by Meeker to survey a ditch from White River to furnish water for irrigation of Powell Bottom lands. About the same time, Meeker contracted with Bill Lisco of Bear River to build the ditch early in the spring of 1879.

Clark, while employed at the Agency during the survey, spent evenings in the Indian camp. He sang songs and performed antics which pleased the Indians, and was much in demand for his entertainment.

Ukatats Killed by Jenkins

Jenkin's squaw had been sick for some time. Ukatats had administered to her needs as medicine man. The squaw died. Jenkins placed the cause of her death on Ukatats. Joe Collom was at work a short distance from their tepees. He heard a shot. Looking up, he saw Jenkins mount his pony at a fast pace, and head down the river. Chief Douglas sent Pah-viets and two other trusty Utes to follow and bring Jenkins back. The chiefs of the tribe held council to affix a penalty on Jenkins for the killing of Ukatats. The verdict of the council was that Jenkins should kill ten of his ponies at the grave of Ukatats, thus squaring accounts.

The Agency Cattle

There were about five hundred government cattle on the White River reservation from which the beef supply for the agency, including the Indians, was drawn. They ranged principally on Strawberry and Piceance Creeks. The range brand was I D, indicating Interior Department. The tribe privately owned about four hundred and fifty small horses, and one small band of Mexican sheep.

Several of the sub-chiefs were much interested in horse-racing, and had added several speedy ponies to their racing string by trading six, eight or ten of their common stock to the whites for one of speed, when the opportunity presented itself.

The contract for the delivery of supplies to the White River Agency in 1878 was not fulfilled. The contractor, located in Laramie, failed to meet his obligations. Only a small part of the supplies were delivered by local freighters from Rawlins before the roads became blocked with snow, thus causing much dissatisfaction among the Indians.

October 25th, new settlers had located in the Bear River Valley during 1878. Hulett Brothers (Charley and Dyer) and Hugh Torrence, moved their herd of cattle from the Huerfano. They were branded H L, and their headquarters was located four miles below the agency road crossing.

George Hes made homestead location near his brother Tom.

Jerry Huff, after several years trapping and carrying mail, was raising horses on Elkhead Creek. The dirt floor of his cabin, like many of the pioneer cabin floors, was covered with dry elk, deer and antelope hides, used as rugs.

During the general election in Routt County in November, 1878, a ballot was taken in contest between Hayden and Hahn's Peak in which each aspired for the prize, Hahn's Peak being the winner. The Peak, being snow-bound for the winter, the county records were moved from Hayden to the Peak in May, 1879, by John Reynolds and Jimmy Dunn.

July 1st, 1879, George Gordon, freighter of Rawlins, was awarded the government contract to deliver Indian supplies for 1879, to the White River Agency. The freight was due to arrive at Rawlins on or before September 1st.

It was on July 1st, 1879, that a weekly mail route was established between Sulphur Springs and Steamboat Springs, and connected with the Rawlins and White River line at Peck's store on Bear River, where a postoffice was established named Windsor. Burgess and Lee, of Sulphur Springs, had the contract.

Ellis Clark, at the age of 17, carried mail on this route. He later became a prominent stockman of Route County.

There were no settlers north of the White River reservation line in 1879 closer than Snake River, which was 75 miles, except the Morgan Brothers and Joe Collom. The few settlers on Bear River were from forty to sixty miles east of the reservation line.

Agency Supplies

Ed. W. Bennett, of Rawlins, had the government contract for delivering annual supplies for the Indians at White River Agency, from 1872 to 1877. Bennett moved the freight with a string of bull teams. In 1872, Bennett, when delivering freight at the Agency, in checking out his load, was short two cases of Gail Borden Eagle Brand condensed milk, a special order for Agent Littlefield. The milk had been lost from his freight wagons while on the move. A band of White River Utes, returning to the Agency from a hunting trip, found the milk, which they immediately consumed near a then un-named creek. From this incident, the creek was named Milk Creek. Bennett, with Frank Ernest, was engaged in operating a ferry at the immigrant road crossing of the North Platte River, six miles below Saratoga Springs, during the late 70s and 80s.

In 1878, W. H. Peck and family from Denver, established a store on Bear River for trading with the Indians, one mile below the crossing of the agency road.

Peck, on Bear River, enlarged his stock of trading supplies, including rifles. It was said that he accommodated his customers, including the Ute Indians, when requested, with a bottle of "fire-water." It was a fact that no trading store stock was complete without a supply of liquor to help bring trade.

A New Mail Contract Was Let

On July 1, 1878, a new mail contract was awarded E. E. Bennett, on the route between Rawlins, Dixon, Hahn's Peak and the White River Agency, under postal regulations known as the Star Route Mail Service.

Trading stores along the White River route competing for business, Perkins, in order to fill up his large, new store building, put in a large supply of general merchandise, which included late model Winchester rifles.

Activity and Much Grievance

At the agency, April, 1879, Bill Lisco, with a crew of men, was at work moving dirt on the Powell Bottom ditch survey. Eugene Taylor left the Agency for a job with Charley Perkins. Joe Collom and brother John had left the Agency job to live on their homesteads on Collom Creek.

Agent Meeker employed an entire crew of farmers, young men from Greeley, to help at the Agency. Their names were: W. H. Post, bookkeeper; Ed. L. Mansfield, Frank Dresser, Harry Dresser, Fred Shepherd, George Eaton, Arthur Thompson, E. W. Eskridge; E. Jasper Price, as blacksmith and handy man, and his wife Flora; Ellen Price, to assist Mrs. Meeker with the housework, and Price's two children Mae, of two years, and John, less than one year.

The party came from Greeley by railroad, and by Agency wagon conveyance from Rawlins to the Agency. The men were employed in the regular routine of ranch work, such as farming, ditch work, building fence, Agency out-buildings, and riding to care for the Agency cattle.

June, 1879, the Indians, seeing their pasture lands being plowed and fenced, were aggravated to the point of near hostility. The chiefs held councils; they protested to Meeker and told him where he should not plow and fence. One tract of land in particular, which was very desirable for farming, on which the Utes had a corral and race-track, should positively not be plowed or fenced.

Chief Douglas, Pah-viets and Jane, who formerly were agreeable and helpful about the Agency, joined the sub-chiefs in protesting to Meeker against farming, saying, "Utes no like work. Ponies get cut on wire. No grass," and many other complaints. Ute children, whom Josephine had taught in school and others whom Mrs. Meeker had treated when they were sick and at times given meals and sweets, all had been taught to disrespect Josephine and Mrs. Meeker by spitting at them, making ugly faces and doing mean things.

On one occasion, when a plowman had turned a few furrows on the tract of land in which the race-track and corral

were situated, a ball from a Ute rifle whizzed close by the plowman's head. No more plowing was done. The shot was intended by the Utes as a warning to intimidate the employees and the agent, so no more plowing would be done on that particular tract of land.

In June, 1879, the sub-chiefs each with his band of followers, were leaving the reservation in separate bands for Elk River, Egeria, North and Middle Park, on their customary rambles of hunting and camping. Chief Douglas, with his horde of older bucks, squaws and children, went north to his favorite hunting grounds on Muddy and Savery Creeks in Wyoming.

Johnson remained at the Agency to protest Meeker's farm policy, and to see that no plowing was done on the race-track lands.

Meeker, in fear for the safety of himself, his family and employees, wrote Secretary of the Interior Carl Schurz, for soldiers for their protection.

Settlers of Bear River and Middle Park Become Alarmed

About July 18, 1879, the Utes, agitated and resenting their grievances at the Agency, were committing depredations. They burned hay belonging to S. D. N. Bennett on Elk River. They burned Tyler's corral in Egeria Park, and camped on settlers' meadows in the Blue River and Middle Park country.

Because of the marauding disposition shown by the Indians, the settlers became alarmed, and thought they were in danger of losing their lives. Complaints were made by a number of settlers; a protest was formulated and forwarded to Washington, setting forth a serious situation. An officer was sent out to investigate. The result was that General Pope, commanding the army in the Department of Missouri, with headquarters at Fort Leavenworth, was notified. He instructed General McKenzie, in command of Fort Garland, to dispatch troops for the protection of settlers.

Captain Clarence Dodge (Company C, 9th Cavalry), Lieutenant Hughes, White and a troop of forty-four negro cavalry with four supply wagons, left Fort Garland for Middle Park, arriving at Sulphur Springs, August 14, 1879. They made camp twelve miles below Sulphur Springs at Long Rifles on the Grand River, one hundred and fifty miles from the White River Agency. Captain Dodge's assignment was to protect settlers and keep in touch with developments at the Agency, should his services be required there.

Ute Sub-Chiefs Seek a Conference With the Governor

About August 28, 1879, Colorow, Jack, Piah, Sowawic and other less influential Indians of the Ute tribe, composed a party from their camps where they had congregated in upper Middle Park, visited Denver to seek a conference with the governor and put before him their grievance at the White River Agency, asking his assistance in getting a new agent. The conference was of short duration. Nothing was accomplished, and no satisfaction given the Utes.

Ute Jack had a sly way of getting information. If he saw two or more whites in conversation on the street or other convenient place, he would stick around, pretending not to be interested. If he were spoken to, he would shake his head and grunt, pretending to "no savvy."

Utes Burning Grass and Timber

When the Ute delegation returned to camp in Middle Park from Denver with no encouragement from the governor about getting a new agent, they started for the agency, giving vent to their feelings by setting fire to the grass and timber in the Blue River, Egeria Park and Elk River country, where a large acreage of timber was burned, and hay belonging to Sam Reid. The most damage was done in the timber near the head of White River. This was directly on the route to the agency. They knew the presence of the Negro soldiers in Middle Park, and named them "Buffalo Soldiers." They arrived at the agency several weeks earlier than was their custom. Their annuity supplies were not due for distribution until October 15th.

Chief Douglas' band had not yet arrived at the agency. They had slaughtered and tanned "heap buckskin" at their camp on the head of the Muddy Creek in Wyoming.

The Rider, in his daily pursuit as cowboy, had talked with Douglas at his camp, and frequently met small bands when riding the cattle range. When meeting, the Ute word "How" was passed; "Where come, where go?" If the white man was a stranger to them, they were persistent in finding out where he was from, and what his business was.

Jack, Colorow and Piah met the Douglas party at Snake River when Douglas was moving toward the Agency. After Jack and Colorow had counceiled with Douglas, "some trading" was done with buckskin, for rifles and ammunition, by Jack and Douglas at the Perkins store.

Trouble Brewing

Trouble had been brewing at the agency more or less all summer. Johnson had frequent clashes with the agent, and at other times, Jane spoke her mind to Meeker. During one of these rows, Johnson administered a severe beating to Meeker. By this time, Meeker had come to realize his danger, and again wrote government authorities for his need of soldiers for protection. His communications of this nature were passed to Governor Pitkin, who, by wiring the contents to Washington, and through his influence, prompt action was expected.

About September 15th, 1879, roving bands, after returning to the agency, were making life miserable for the agent, opposing him on every turn. Meeker attempted to send out a courier to meet Captain Dodge and his Negro soldiers, to have them come to the agency. He was prevented from doing so by the Utes. He attempted to take his family out by wagon, but was prevented in this move.

Jack asked Meeker when the soldiers were coming. Meeker replied that he did not know, but said if they did come, they would do no harm.

The Utes were active, going to the different stores to trade for rifles and ammunition. At the same time, they were adding to their grievances by tuning up with liquor. Perkins had more than the usual Ute trade for the season. Peck traded his last rifle to the Utes. Peck realized from the Ute attitude that trouble was near, and with his family moved to Rawlins. Perkins' branch stores had a fair share of the Ute trade. Trading for rifles was limited. The roving bands had but a small amount of buckskin or cash to make large purchases, and the stores would not accept ponies in trade.

Uncompahgre renegade Indians had been incited to join the White River Utes in war should the soldiers come to White River.

There were nine rough-neck Utes, from the Uintah reservation. They had come to visit and horse-race with the White River Utes. Their stay was longer than expected. It was making inroads on the chief's food supply. Jack asked Mr. Post, who was in charge of annuity supplies, to issue the Uintah Utes provisions. Post replied that he could not issue supplies to other than the White River Indians, and to them only on regular dates of issue. From this answer, Jack and other chiefs became enraged, which added to their already fancied grievances. It later became known that Jack was holding the Uintah Utes until the soldiers came.

Captain Dodge's First Move

Captain Dodge, camped at Long Riffles, received his mail at Sulphur Springs, advising him of a serious situation at the White River Agency. Dodge engaged Sandy Mellen, the cowboy mail carrier of Middle Park, to bring his mail to him a few days later, and left with his troop of Negro cavalry to go near the agency where he could learn the situation there.

He traveled over the Gore Range and through Egeria Park. He camped one night at Steamboat Springs. (John Crawford, at that time a small boy, and now clerk of Routt County, recalls the colored troops and the sound of the bugle call). They arrived at the Bear River crossing of the agency road at noon the next day after leaving Steamboat Springs.

Ed. Collom, the mail carrier, was on the way from Dixon to the agency. Dodge waited at Windsor for the carrier's return from the agency, and learned from him that, although there had been trouble, all seemed peaceful during his night's stay. Then Dodge returned to Middle Park, where he expected teams with supplies from Fort Garland.

Horse-Racing at the Agency

September 24, Frank Byers of Sulphur Springs, accompanied by Charles Royer, had gone to the White River Agency to horse-race with the Indians. During their three days racing, Byers and Royer won ten ponies and a number of beaver hides. Byers rode and won a race for Chief Cup-Ears, riding against Chief Sowawic's pony. Byers realized from complaints he heard and from the attitude of the Utes, that they were much opposed to Agent Meeker. Byers, in a conversation with Meeker, stated what he had heard. Meeker replied that the Indians always had more or less complaints and grievances.

Tom and Billy Morgan came over the Danforth hills from their ranch the same day that Byers and Royer left the agency, September 27th, to see the new agency, and to horse-race with the Utes. Meeker chastised them for coming there to race with the Indians.

Josephine, with Ute children, sat on the corral fence watching the races. Since there was much agitation and dissatisfaction among the Indians, the Morgan boys did not stay long. They returned to their home.

An official of the postoffice department arrived at the agency the same day the Morgans left, going by horseback from Perkins'. He was challenged by the Utes on the road near Milk Creek. He was thoroughly questioned as to his business. When the Utes learned he was from Washington, he was allowed to proceed. After a one-night stay he returned to Rawlins and Denver.

THE WAY IT TURNED OUT

Thornburg With Troops to Protect Employees at the Agency

September 19th, 1879, Major Thomas T. Thornburg, commanding the military post of Fort Steele, fifteen miles east of Rawlins, was notified by General Crook, commanding the U. S. Army in the Department of the Platte, to proceed to White River Agency with a detachment of troops for protection of employees at the agency.

Thornburg was on a fishing trip at Battle Lake when the message arrived. A courier was sent to notify him of the message. The fort had a small garrison of soldiers; one company of cavalry and two of infantry.

Thornburg left Fort Steele September 22nd, with Company E of the 3rd Cavalry with Captain Joseph Lawson in command; and Company I of the 4th Infantry, with Lieutenant Price in charge—Thornburg's own, as he was an infantryman and not a cavalryman.

He was accompanied by Lieutenant C. A. Cherry, infantryman of the officer's staff, a volunteer. Thornburg, expecting to be in the field for an indefinite time, took a supply train of twenty-eight wagons and one ambulance.

J. W. Hugus, post-trader at Fort Steele, sent John C. Davis and F. E. Blake, employees, with a wagon load of goods for a "suttlar store" along with the expedition.

At Rawlins, Thornburg was joined by Companies F, and D, 5th Cavalry, sent from Fort D. A. Russell, with Captain Scott Payne in command of Company F and Lieutenant J. V. S. Paddock in command of Company D. Neither of the Thornburg units were full companies, each troop having from forty to forty-five men. Troop D had only twenty-seven men.

The U. S. Army at that time was equipped with Springfield rifles, which replaced the needle-gun rifle used by the army prior to 1877.

Neither Thornburg nor any of his men were familiar with the road to the agency. Joe Rankin, stableman of Rawlins, who formerly carried mail to the agency by horse-back, was employed by Thornburg as scout.

September 24th, 1879, Thornburg left Rawlins, traveling leisurely. On the way south, Rankin advised him of Charley Lowry (living on Snake River) as being a man who was friendly with the White River Utes. When the expedition arrived at Snake River, Lowry was employed. Dressed in buckskin, he traveled with the command as far as the mouth of Little Bear Creek, where Thornburg sent him ahead to the agency (September 28th) to learn conditions there, and the

sentiment of the Indians, with instructions to return and report to him next day on the road.

Thornburg left Company I, 4th Infantry at the mouth of Little Bear Creek, as a reserve and guard for supplies. At Bear River Crossing, the expedition was met by Colorow, Jack, Piaah, Johnson and four others of the tribe. They appeared friendly and wanted to talk. Jack, as spokesman, readily recognized Thornburg as the big chief, and said, "Where you go?" Thornburg replied they were going to White River. Jack asked, "What you do there?" To this question Thornburg replied, "Just to see the country." When Jack was asked where he was going, he replied, "Utes hunt deer." The band rode away in the hills.

This call was for the purpose of sizing up the strength of Thornburg's army.

When the troops reached William's Fork, where they camped for the night, the same eight Indians appeared. The evening meal was being served, and the Utes were invited to eat. After cleaning up all prepared food in sight, Jack approached Thornburg and said, "Utes no want soldiers go to White River." He made a proposition that Thornburg take five of his men as an escort, and he, Jack, would take five Utes, and together they would go to the agency and talk with the agent. Thornburg discussed the matter with his officers. Scout Rankin, who was strong in opposition to Jack's request, said the Utes might be laying a trap for them.

The same evening, Black Wilson was going from his store on Spring Gulch, six miles to Thornburg's camp on William's Fork, expecting to sell him some hay for his stock. When two miles from his place, he was met by five Utes, and told to go back home. "Utes fight soldiers; no wanna kill oo."

The Utes Were Active

On September 28th, the Utes were busily engaged in securing ammunition. They deliberately took possession of what ammunition was at the Peck store, which consisted of one case of cartridges.

The Utes told Eugene Taylor to move out from Milk Creek with his store, as there was going to be trouble when the soldiers came.

On September 27th, a party of Utes demanded of Black Wilson all rifles and ammunition he had in stock at the Perkins' store on Spring Gulch—without remuneration. Wilson and Mike Sweet talked them out of their demand. After the Utes left, Wilson talked the matter over with Joe Collom, as to what was best to do with the rifles and ammunition so that the Utes would not get them. They decided to bury the

stock where there was loose dirt from an excavation of a cellar, and a brush heap was placed over the cache.

Jack headed a band of reckless Utes that came on September 28th with the intention of taking rifles and ammunition by force, Jack demanded the stock. Wilson replied that he had sent the stock to Perkins' store on Snake River. Jack looked around for wagon tracks which he did not find; then said to Wilson, "Heap d—d lie," but decided to give up the hunt. After the Utes had gone some time, all the trading store stock was loaded on Joe Collom's wagon and taken to Perkins' store at Snake River during the night.

On September 28th, the mail carrier, on the way from Perkins' to the agency, was stopped a few miles north of Bear River by a small band of Utes and told to go back; that no more mail should go to the agency.

On September 28th, the Utes made temporary base on the mountain one and one-half miles south from Milk Creek Canyon, where supplies and pony reserves were held. There were Ute scouts on the high peaks between Milk Creek and Bear River, with field glasses, to watch the movements of the soldiers and others on the road and on Morapos trail. Keeping out of view themselves, Lowry, being a particular friend, was allowed to go to the agency unmolested. By his buckskin suit and his horse, they could recognize him at a considerable distance.

Main Ute Camp Moved

At the agency, September 28th, the squaws and children were moved with their tepees from their camp at the agency to the head of the east branch of Pice-ance Creek, twelve miles south of the agency, where they made camp, which was known as "Squaw Camp." Four tepees were left standing at the agency where ninety-four had been. One of these was Douglas' tepee.

At dusk, September 28th, Meeker succeeded in starting out Ed. Mansfield, an employee, to find Captain Dodge and his soldiers to have them come to the agency. Watching his chance while the Utes were guarding the road toward Milk Creek, Mansfield slipped away in the opposite direction, going west and then by way of Strawberry trail and Coyote basin.

Lowry at Agency

Lowry arrived at the agency a short time after Mansfield left. Peace had prevailed during the day, although he found Agent Meeker in a nervous state, suffering from the effects of a beating administered by Johnson.

Later in the evening, a band of eight Utes came to the agency from Milk Creek. They reported to a small number

of Utes at the agency, the approach of the soldiers. After holding council, they all joined in a wild demonstration of war whoops, fierce yells and danced around Meeker's quarters. Meeker attempted to quiet them, but was jeered at by the Utes. Finally, Lowry intervened, and succeeded in quieting them after a half hour.

The Utes were astir in the early morning. Lowry was ready to return to meet Thornburg. E. W. Eskridge, agency employee, was to accompany Lowry. They were detained a short time while council was held by the Utes as to whether they would let Eskridge go. He was allowed to go with an escort of Utes. When one mile from the agency the Utes turned him back, while Lowry was allowed to continue on to meet Thornburg. Eskridge had gone but a short distance toward the agency when he was killed, and left nude in the road near the agency coal mine.

Government Supplies Were Nearing the Agency

George Gordon, freight contractor, in order to move the greater part of the annual supplies for the agency at the first trip, engaged private teams to assist in moving the freight, and were nearing the agency the evening of the 28th.

Carl Goldstein, known at Rawlins and to settlers along the route, as the "Jew freighter," and his teamster Julius Moore, made camp by the road along Coal Creek five miles from White River. John Gordon, in charge of ox teams, camped near the road crossing of Milk Creek. George Gordon, in charge of horse and mule teams, camped on Stinking Gulch near the Milk Creek divide. Al. McCarger and son made camp at the road crossing of Deer Creek three miles west of William's Fork.

The Trap Was Set

Thornburg's troops left William's Fork for the agency on the morning of September 29th. All freighters were alarmed at the actions of the Indians the day before, and were waiting in camp until the soldiers came, so they might have the assurance of moving to the agency in safety. As the troops were nearing the crossing of Milk Creek, they met Charley Lowry. He reported to Thornburg the situation at the agency.

After crossing Milk Creek where the trail left the road, Rankin led the troops by way of the short-cut trail. There were two low ridges in the rough country between the trail and Beaver ravine road with a scattering growth of cedar, sarvisberry bush and aspens. Rankin and Frank Secrist, a private soldier, were one and a half miles from the crossing, and a quarter-mile in the lead of Thornburg, who was riding

along with Captain Lawson at the head of Troop E; and Captain Payne, leading Troop F in the rear. Lieutenant Paddock, with Troop D was escort for the wagon train, which was two miles back on the road.

When nearing the head of sarvisberry draw, which the trail followed, Rankin and Secrist saw about twenty-five mounted Indians leave other Indians on the second ridge which bordered on the Beaver ravine one thousand yards on the right, and make a dash as though to head them off on the trail a short distance ahead. They turned back and met the command.

Rankin said, "Boys, we are going to have a fight right here."

A halt was called, and a short conference took place. (It was a standing order of the war department to officers who were called to quash riots, Indians or other outbreaks, not to fire a shot unless attacked by the enemy). Thornburg himself, was without firearms of any kind and was attempting to go to the agency peaceably, if possible.

Rankin said to Thornburg, "Fire on the redskins. It is our only show, as the trail and road ahead for several miles leads through thickets, and in places scattered growths of sarvis bush and aspens along the narrow Beaver and Coal Creek draw."

To this request, Thornburg replied, "My God! I dare not, Joe. My orders are positive."

Lieutenant Cherry's Peace Move

It was about ten-thirty a. m. when Thornburg ordered Lieutenant Cherry with ten men of Captain Lawson's troop to go within hailing distance of the Indians as a peace measure, and if possible to learn their strength back of the ridge. Captain Lawson was ordered, with the rest of his men, to follow six hundred yards in the rear of the first ridge and await developments.

As Cherry approached within hailing distance, he waved his cap over his head, indicating friendliness. The Indians moved back and greeted him with a volley of shots over the brow of the ridge. The Utes, at a much higher elevation, overshot. No one was injured. Cherry moved back. Lawson, taking in the situation, advanced, picking up his men who were with Cherry and followed up the attack, gaining the ridge five hundred yards to the right and overlooking the Beaver ravine. A large number of Indians were waiting back of the rocks and thickets back of the ridge. They had expected the soldiers to travel by the road and had selected an ideal spot for an ambush to annihilate the troops, and were surprised

when they discovered the soldiers on the trail. Lawson's men advanced along the ridge on foot, driving the Indians under cover of bush and rocks, and holding the ridge.

In the meantime, Thornburg sent Scout Rankin back to have the wagons stop and corral. Thornburg had also ordered Captain Payne with his troop to advance along the trail. At 1000 yards, they were fired upon by Utes in ambush from bush and rock. They dismounted and left their horses back where protected. They exchanged shots for twenty minutes. Private Michael Fireton was killed and Private Oscar Cass was slightly wounded.

Payne and men withdrew, leading their horses until they met Thornburg. Lawson, who had been holding the ridge for some time, fighting Indian style, with their horses held back in protected places, withdrew to where they met Thornburg and Payne, and where new orders were given by Thornburg.

Lawson was ordered to gradually withdraw. Being short of ammunition, he sent John Donovan, one of his men, to the wagons for ammunition. About twenty Indians were seen dismounted, sitting on a ridge, one thousand yards to the south. They had not been taking part in the fight. They were merely waiting for an opportunity of 'vantage. Thornburg ordered Payne, with his men, to approach them to learn their attitude, and if not challenged to fight, to fall back and assist Lawson to withdraw toward Milk Creek. When Payne advanced within rifle range, the Indians mounted their ponies and fled under cover of the ridge, and began shooting. Payne, no doubt fearing a repetition of his previous attack, and being in view of the wagon train which was being corraled three-quarters of a mile distant, and where a fierce attack was being launched by the Utes, he rushed to join the fight there.

Rankin met the wagon train a distance of eight hundred yards from the crossing on the north side of Milk Creek. He assisted wagonmaster McKinstrey in parking the wagons in a three-quarter circle, with the tongues on the inside, and with the open space bordering on the banks of Milk Creek, at an elevation of twelve feet above the creek bed.

Thornburg Killed

Thornburg, who was waiting at the end of the ridge, observing Payne's movements, started for the wagons, riding fast. Shots from the same band of Indians that fired on Payne's men, apparently wounded Thornburg and his horse, which slackened speed. The Indians, seeing he had no fire-arms, swooped down from the hill and surrounded him. Private Tom Nolan, one of Lawson's men, who was holding horses while the troops were fighting, at a considerable distance, saw

the Indians drag Thornburg from his horse and beat him. His horse was fatally wounded and died a few hours after. It was about one thousand yards from the wagons. (Apparently, it had been Thornburg's idea to withdraw all his men to the wagons, where he could attempt a treaty, or make a strong fight. This opinion was expressed later by Dillon, of Company E). John Donovan, on his way from the wagons with ammunition for Lawson, saw Thornburg, dead.

In the meantime, shooting from the Indians under fire of Lawson's men had slowed down, except for the occasional shot which no doubt was intended to keep him interested at that point, while the main force had slipped away through thickets to attack at other points. Lawson, when told by Donovan of Thornburg's death, and Payne's flight to the wagons, speeded up his withdrawal.

Fight at the Wagons

While the wagons were being corraled, a large number of Indians gathered and were shooting from points where protection was available, a large number firing over the brow of a knoll on the north side of the creek and road, five hundred yards distant and at an elevation of 125 feet. Others were shooting from behind the creek bank, the soldiers directing their shots at the point designated by the smoke.

Lieutenant Paddock, with his twenty-seven men wagon escort, attempted to charge the Indians on the hill. The hill, being very steep, he was driven back. One horse was killed and two horses and himself slightly wounded. Indians that disappeared in the thickets at Lawson's attack, and left him in doubt, had fled down the deep beaver ravine and joined in the fight at the wagons. Then a continuous volley of shots poured in. Mules were being unhitched; some were tied to the wagons; others, with harness on, and horses with saddles on, broke loose from the wagons when wounded. Some of them drank at the creek and others milled around from excitement or from pain.

While arranging the wagon corral, Wagonmaster McKinstry was killed, and Captain Payne's force rushed in, under a strong barrage. Two of his men were wounded and one horse killed near the entrance to the corral. All was in a turmoil within the enclosure.

During Lawson's withdrawal, all horses were led, while moving from the rough country near Beaver Creek, and small bands of Indians were attempting to cut him off from the wagons. At the end of the ridge near Milk Creek, one of his men, Sergeant James Montgomery, was severely wounded.

With assistance, he was mounted on his horse and brought to the wagons.

Lawson reached Milk Creek, where some protection was afforded by cottonwoods and the creek bank. Indians were shooting from the bluffs and gulleys on the north side of the creek. Lawson and his men were held back for a short time at the bend of the creek, because of heavy shooting at the wagons. They routed the Indians from beneath the benches along the creek, and made their way inside the enclosure, after almost two hours of continuous fighting. Payne learned from Donovan of Thornburg's death, Donovan being the only man up to that time who saw him dead.

Donovan was later awarded a medal by the war department for bravery for carrying ammunition to Lawson under fire.

John Gordon and his three men, "Bullwhacker Jack," Hamilton and Hornbeck, camped near the crossing of Milk Creek. Realizing their danger, they left their freight wagons for protection with the soldiers.

Captain Payne in Command

The next officer in rank to take command was Captain Payne. The most effective shooting was done from beneath the bench along the creek. Because of heavy firing, the men were unable to get tools from the wagons to dig trenches. The greater number of men huddled beneath the wagons while others dropped behind dead horses and mules, which in some instances had fallen on top of others. With dead and wounded men, it presented a horrible sight. Sergeant John Dolan, of Payne's troop, was killed while ordering his men from beneath the wagons to assist in getting rolls of bedding and sacks of corn from the wagons to build protection. When the men were slow to respond, Dolan said, "If you don't get out and help, I will kill you myself."

About 3 p. m., the Indians, in order to rout the soldiers from their position, set fire to the grass and growth of short sagebrush three hundred yards below on the bench, which burned and spread toward the wagons and to the northeast, fanned by a light wind. The men fought the fire with blouses, burlap sacks, and with their scabbard knives dug and spread dirt on the flames. A wagon sheet caught fire. Private James Hickman, on the outside of the corrals, while under fire of the Indians, pulled off the sheet, which prevented destruction of the wagons. For this act he was later awarded a medal by the war department, for bravery. While putting out the fire, Captain Payne was slightly wounded, and Private Evershell

was twice wounded. A third shot pierced his clothing under the arm pit.

The same fire burned over the entire east end of Danforth Hills, an area of twenty square miles. During the excitement caused by the fire, the Utes kept up a fierce bombardment. Scout Charley Lowry was fatally wounded. When assistance was offered him, he said, "Never mind me; I am done for."

At dusk, a band of eight or ten mounted Indians dashed from behind the ambush ridge on the north. They stampeded and gathered about thirty head of horses and mules on the creek bottom, running them toward White River, the soldiers shooting at them at long range with apparently no effect. Continuous shooting was kept up by the Utes until after dark, when heavy shooting ceased. Signal lights were seen on the surrounding mountain sides. Groans from the wounded indicated they were suffering severely.

Surgeon R. M. Grimes, who was slightly wounded, gave some assistance to the other wounded. Liquor was obtained from the sutler stock, which helped to stimulate and relieve their suffering.

The soldiers got picks and shovels from the wagons and were hustling to make trenches and remove dead horses and mules. Dead men were wrapped in canvas or blankets and covered with the dirt from the trenches. Trenches of eight or ten feet in length, four feet deep and four to five feet wide, were made around the circle near the wagons. Three large trenches were made in the center for the wounded.

Captain Payne, in consultation with Captain Lawson, asked Lawson to take command. Since Lawson thought Payne's wound of little concern, he refused. Payne then remarked he would move camp toward Rawlins. "How will you do that with our horses and mules killed?" asked Lawson. "I will stay right here with my wounded men," said Lawson.

The Couriers Ride for Relief

A short council was held between the officers, Scout Rankin, and John Gordon, about ten-thirty p. m. Rankin mounted on a cavalry horse (his own horse was killed during the first siege at the wagons), and with John Gordon and a private soldier from Company D, they slipped from the enclosure and made their way through the Indian guard line. When they came near where George Gordon was camped, they saw the wagons with agency supplies, largely machinery (a binder and thresher), had been fired and were still burning. John Gordon and the soldier stopped to investigate and found Gordon's brother George and two teamsters lying dead about the wreck.

Rankin did not stop. From this point he went by way of the Morapos trail, riding as fast as possible for safety over the rough trail in the night. He reached the Hulett and Torrence cattle camp on Bear River in the early morning, where he procured a fresh mount by going out on the range for a mile or more and driving the ranch saddle-horse band to the corral. Crossing Bear River at this point, he went by way of Fortification Creek, reaching the road near the Thornburg reserve camp, where he advised Lieutenant Price of the disaster.

He arrived at Frank Harrah's ranch at the Bagg's Crossing of Snake River. While eating a lunch, the saddle-horse band was driven to the corral from the pasture. Harrah furnished him with a horse of staying qualities named Joe Busch (one used in the Rider's string while in Harrah's employ).

The courier arrived in Rawlins at two a. m., October first. The distance is approximately one hundred and fifty miles. The time, including stops, was twenty-seven and one-half hours.

News of the disaster was immediately wired General George Crook at Fort Omaha. Army officials at Washington were also notified. Crook instructed General Wesley Merritt, in command of Fort D. A. Russell, Wyoming, to go to the relief of Thornburg's men.

The Settlers Given Warning

John Gordon and the soldier, after investigating the wreck at George Gordon's camp, went by way of the road. At Deer Creek, they routed McCarger and son from bed. They had two horses on stake, and six others of their teams hobbled on the range. Each McCarger mounted a bareback horse. They looked for the hobbled horses a short time but did not find them.

All four men rode to Tom Iles' ranch on Bear River, at daybreak. Soon after their arrival, the soldier's horse fell dead from exhaustion. McCarger borrowed the soldier's saddle. He and his son continued to Snake River, while Gordon and the soldier stopped at Iles'.

Mansfield, the courier sent out from the agency by Meeker to bring Captain Dodge and his colored soldiers to the agency, lost his way during the night ride (being a gardener and not a rider). He arrived at Iles' ranch late the evening of the 29th. He related a description of Meeker's troubles with the Utes up to the time he left the agency.

Sam Reid, living on Elk River, learning of the Indian trouble, came to Iles' place the evening of the 29th to learn if the settlers were in danger. Upon learning from Gordon of the Thornburg fight, Sam gave the alarm to settlers along Bear River as far as Hayden; then went on to Elk River to protect his family.

Jimmy Dunn volunteered to carry the news to Crawford, at Steamboat Springs. Dunn was also instructed to notify Captain Dodge. Dunn, on his way to Steamboat, met Ed. Clark on horseback (surveyor from Greeley). He had stopped at Crawford's for the night. He was on his way to the agency to do more surveying for Meeker.

Since Clark had not seen or heard of the Negro troops on the way, Dunn decided the troops were coming by way of Twenty-Mile Park, as they were expected any hour on their way to the agency. Clark agreed with Dunn to meet Dodge on the Twenty-Mile Park Road. Being much alarmed because of the Indian scare, Clark failed to venture far from the Hayden settlement. Going a short distance on the Twenty-Mile road, he wrote a note and left it tied, dangling from a tall sage brush which leaned over the side of the road. Clark continued to Hes' place, where he met Mansfield and settlers gathered there.

Four families, settlers of the Hayden Valley, went to Steamboat, where they fortified themselves at Crawford's ranch.

George Fuhr, of Slater Basin, was at Frank Harrah's ranch when Rankin, the courier was on the way to Rawlins. He gave the alarm to the settlers in the Snake River Valley. (A Paul Revere, as it were). The horse he rode collapsed from the strenuous ordeal. Six families moved up the Muddy Creek fifteen miles, where they made camp. Others went to Rawlins. Others, not much alarmed, held the fort at Perkin's store.

At the Corral and Trenches, September 30th

Men had worked steadily during the night completing trenches for protection, with only an occasional shot from the Utes on guard on the ridge. When the soldiers started fire to make coffee, there was a volley of shots, and the fire was put out.

Gordon's freight wagons with agency supplies, one thousand yards distant, were burned during the night.

Captain Dodge's Movements Partly Governed by Letter Mail

On September 26th, Captain Dodge, on his way from Windsor postoffice to Middle Park, as previously mentioned, met Sandy Mellen at Hayden, bringing his mail as pre-arranged. Sandy returned with Dodge's troop by way of Twenty-Mile Park. On their way through Egeria Park, they met Zene B. Maudlin, Adrian R. Marshall and family, and Fred Hodges, moving in to settle on Bear River.

Dodge moved to the east side of the Gore range where he met teams with supplies, sent to him from Fort Garland.

The supply train consisted of three, six-mule teams in charge of Henry Meder. They had come by way of Poncha Pass and Fairplay. (Henry Meder is now living on his ranch near Fort Garland).

Making camp, Dodge sent Sandy Mellen to Sulphur Springs for his mail. Near Dodge's camp, James P. Maxwell, of Boulder, Colorado, civil engineer, had S. E. Bivens and other surveyors in the field, sub-dividing unsurveyed lands in Grand County. His two sons, Clinton and Mark, were assisting in the survey.

When Sandy Mellen returned with the mail, which indicated their services were needed at the agency, Dodge again started for the agency, on September 29th, by way of Twenty-Mile Park.

When nearing Hayden, October 1st, Sandy Mellen, riding with Dodge in advance of the troop, discovered a slip of paper tied to a sage brush at the side of the road. It was addressed to Captain Dodge, and read, "Thornburg killed. His men in peril; rush to their assistance."

The troop moved with speed to Tom Iles' place at the crossing of Bear River, where a short stop was made for lunch.

Dodge knew from John Gordon's condition that he had got liquor at Peck's store which was one mile down and across the river. He sent Sandy Mellen and three Negro soldiers to destroy any liquor that might be there.

Leaving his seven wagons for the teamsters to move to Thornburg's reserve camp on Fortification Creek, Dodge took one pack mule. The troop was joined by Gordon. They left by way of Morapos trail late in the evening.

They arrived to within five hundred yards of the trenches a short time before daybreak, October 2nd, where a halt was made. Sandy Mellen and Gordon advanced, with shouts from Gordon, whose voice was recognized. There were loud shouts of rejoicing from the men in the trenches. They climbed out of the pits and greeted Dodge and his Negro soldiers with a glad hand. They were especially glad to learn that the couriers had got out safely and that more relief troops would soon reach them. Dodge's horses were tied within the enclosure. Stillness had prevailed during the night. Most of the Indians had gone to their emergency camp one mile south, for rest, food and change of mounts. Dodge and his troop had slipped into the trenches at a time least expected by the Utes, as they were not seen by the Ute scouts with field glasses, as they were coming on the river route the day before.

Captain Dodge Proposes an Attack

Shouts of the men had aroused the Indians. They were soon in position on the ridge and creek bank. At daylight, a rain of shots began. Dodge proposed to charge the Indians on the ridge, but was persuaded that it would merely terminate in the loss of more men, for the steep hill was all to the advantage of the Indians, and the men were fairly well protected in the trenches.

Dodge, by this time, realized he was in a trap with Thornburg's men. From the open space in the enclosure, it was about ninety feet to water in the creek. Horses and mules that were severely wounded within the enclosure were shot to end their sufferings. Each night dead horses and mules were dragged to and dumped over the creek bank. Some horses, when shot by the Indians, but not fatally, would lunge back, break their tie ropes and stagger about the trenches. One horse, when lunging back, broke his tie rope and fell into the trench with wounded men. Quick action by men in close-by trenches soon dragged him out with ropes, without serious injury to the wounded.

During the night, men ventured outside the enclosure to gather sagebrush to make fire in the trenches to make coffee.

The first night after Dodge arrived, more shooting was done than on any other one night. It was thought this outburst of shooting was done to kill horses, and to intimidate the newcomers so that no attempt to escape the trap or to build protection would be made. The same night, when Private Eizer went to the creek for water, he was shot in the side of the face.

Ute Jeers

There were several Indians who could talk understandable English. Some of these were Piah, Cojo, Henry Jim (an interpreter), Jack, Charlie (an Uncompahgre Ute), and Johnson. At times during the day, it was sport for the Indians to jeer the soldiers. Jeers from the ridge, because of great distance, were not always clearly understood. Others from the creek bank at closer range called, "Come out, you sons of b—s and fight like men." Others yelled, "Utes kill oor horse and mool, and kill oo." One Ute beneath the creek bank, togged in a red shirt, was thought to have done most of the sharp-shooting, killing the largest number of horses and mules. Although "Red Shirt" was seen at times at close range by a few, his name was not known by the soldiers. It was their first time in the Ute country. After relief came, two hundred 45-70 shells were found where "Red Shirt" had done most of his shooting. Later, it was learned, Chief Johnson was given credit for most of the horse and mule killing with his Sharps

rifle. When a hat was raised on a stick above the trenches, it became a target and was riddled by volleys of shot.

Negro Soldiers Intruding

Captain Dodge, a short time after his arrival, feeling his Negro soldiers might be intruding on the white soldiers in the already crowded trenches, during a lull in Ute shooting, started some of his men to digging trenches for themselves, in daylight, within the enclosure. They had just started to dig, when a rain of shots hit the ground and wagons about them. Dropping their tools, a soldier of Troop E, 3rd Cavalry, describing their movements, said, "They made ten feet every jump and leaped head first into the trenches like frogs." Looking on the humorous side, amusing incidents occur even in battle. A private soldier of Troop D, described a burly Negro soldier climbing from a trench during a lull in the shooting, with rifle in hand, and saying in bravado style, "Show me a Ute." Since there was none in sight, of course, he sat down on a wagon-tongue. About the same instant, a ball hit the corner of the wagon bed, one foot from his head. He jumped into the trench and "mum" was the word, while others about him who saw the incident had a laugh.

The Indians were seldom seen within rifle range since they did their shooting from protected points at all times. The soldiers learned to know when the Indians were coming in the morning by crows and magpies that came at first break of day to feast on dead horses and mules. When the crows and magpies began to caw and fly away about sunrise, the Utes were getting into position for shooting.

By noon of the second day after Dodge arrived, but seven of his cavalry horses remained alive. One hundred and forty-eight horses and mules, within and near the trenches, were killed. Five horses and two mules, within the corral, missed the rain of Ute lead. Several head of Gordon's oxen were slaughtered by the Utes for food at their emergency camp one mile and one-half south of the battlegrounds.

The men in the trenches knew nothing of what was going on at the agency, twenty-five miles away. The Utes were in communication with their separate camps at all times. Runners were moving back and forth between Milk Creek, the agency, and the squaw camp. Douglas, "Big Chief," and too old to take part in the strenuous ordeal of the fight at Milk Creek, with a few other of the older Indians, were on guard at the agency.

McCarger's two freight wagons, abandoned on Deer Creek the first night of the fight, were ransacked, presumably the next day. Flour, soap, sugar; and there were several cases of

small hatchets supposed to have been ordered by Meeker as a play tool for Ute children—all were scattered around. An attempt was made to fire the wagons and contents. There being but little inflammable material, the damage was not great.

A PRE-MEDITATED TRAGEDY

The Massacre at the Agency

Description of the scene of slaughter at the agency in detail will depend on the story told by Mrs. Price and Josephine to General Adams and reporter, at the time of their rescue; and the personal conversations of The Rider with Mrs. Price, several months later.

On the morning of September 30th, the second day of the Milk Creek fight, fifteen or more Indians left the Milk Creek area for the agency, taking with them the government horses and mules they had captured the evening before. On their way down Coal Creek where Carl Goldstein and teamster Julius Moore were in camp at their freight wagons, they killed the two men. Moore was later found lying nude in the road. Goldstein was thirty feet from the wagons, where he had fallen in the sagebrush. The Indians robbed the wagons of blankets and such articles as they could pack with them, and set fire to other supplies, such as flour, salt pork, etc. They drove Goldstein's teams along with the government loot.

"The band arrived at the Douglas' camp a short time before the noon hour," said Mrs. Price. The herd of stolen horses was not brought into view of the agency employees, who were working on new buildings and at other odd jobs nearby. No suspicion of immediate treachery was anticipated by the employees, who had not yet learned of the fight with the soldiers nor heard from the two courier employees, Mansfield and Eskridge, who had been sent out from the agency.

While the agency help were partaking of their noon meal, Chief Douglas came to the door of the dining room and talked with the women and men. Mrs. Meeker, with her customary hospitality, invited him to eat, since Douglas, Johnson, Jane, and many others of the tribe had many meals at the agency table. While sitting at the table, Douglas talked and joked with the men and seemed in an unusually jovial mood. After his meal, he went outside, looked around the buildings; then went to his tepee, three hundred yards away, near the river. The men were again at work on and about the buildings, and the women were washing dishes in the kitchen. A few minutes later shooting began.

The Utes had planned their attack after Douglas reached the tepees. They had stolen the employees' rifles from the bunkhouse during the forenoon, when the men were busily engaged on the opposite side of the buildings. The shooting came furiously from about twenty Indians. Mrs. Price looked outside and said, "My God, the Indians are killing everybody. What shall we do?"

About that time Frank Dresser staggered in at the kitchen door, wounded in the side of the head. Josephine handed Frank Mr. Price's rifle, which was in the kitchen. He shot and killed Johnson's brother, Ita. Mr. Post, the bookkeeper, ran out fifty yards from the office building where he was shot down. Meeker was shot down at his living quarters, but was found fifty yards from there near the store building. A trail of blood indicated he had been dragged with a heavy rope which was left tied around his neck. An iron tent stake was driven through his mouth and neck into the ground. Meeker and Post were stripped of clothing. The other men lay about the building where they had been working.

In the meantime, the women and two children and Frank Dresser ran from the kitchen to the milk house thirty yards north. The Indians, who were busily engaged in looting the living quarters and setting fire to buildings, saw the women run to the milk house. Though not intending to murder them, and knowing Frank Dresser had a rifle, they got wood from a pile nearby and set fire to the side of the milk house. It was composed of large cottonwood logs chinked and 'doped, and was slow to burn. The Indians then turned their attention to the storeroom, a large, one-room log building fifty yards south of the living quarters. At the same time they kept an eye on the progress of the fire at the milk house. They carried blankets and other loot from the storeroom to their tepees, where others were engaged in packing the loot on government mules and Ute ponies.

When the fire at the milk house was making headway, and smoke coming in; and while the Indians were busily engaged in carrying out supplies, the women and Dresser decided it was their opportunity to escape to the tall sagebrush, a short distance from the milk house and north of the irrigating ditch. Before reaching the brush, the Indians pied them. Dropping their loot, they ran with their rifles, shooting close about the women and children and calling, "Heap good squaw. Utes no kill good squaw." They were shooting to kill Frank Dresser as he disappeared in the tall sagebrush with Price's rifle. The shots fired about the women were intended by the Utes to intimidate, so they would submit to their demands. The

women, when being jostled back through the irrigating ditch, got very wet.

At least two of the Utes taking part in this act were Persune and Cojo, young renegades (both Uncampahgre Utes). Persune was dressed in a U. S. officer's uniform, cap and all, which was later identified as Thornburg's outfit. The women were taken to where the loot was being packed on mules and ponies.

By this time it was sundown. It had been a warm day and the women and children were thinly dressed. The nights were cool, so Mrs. Meeker insisted to Douglas that they must have more clothing. She was allowed to go back to the smouldering buildings where she found some of their clothing which had not yet burned, and got coats and wraps for the women and children. In the meantime, there was a quarrel between Douglas and Persune, as to which should take charge of Josephine. They, with others, had been drinking. Persune had taken charge of Josephine and assisted her to mount his pony which was prepared with a saddle, but Douglas insisted she should be his "squaw." With an outburst of the Ute tongue, they came near to blows.

Night Ride to the Squaw Camp

Mrs. Meeker, at the age of sixty-eight, was not a strong woman, and the night ride to the squaw camp taxed her endurance to the limit. She was taken in charge by Douglas and mounted on a pony, with blankets for a saddle. When too weak to ride alone, she was tied on with a rope, and at times rode behind Douglas. Mrs. Price was taken in charge by Cojo, and mounted on a pony with blankets for a saddle, with her baby boy in her arms. Josephine was the only one furnished with a saddle. It was a government saddle, taken from the horse that Thornburg rode. Mrs. Price's three-year-old girl rode behind Josephine, tied on with a blanket.

With their caravan of pack ponies and government pack mules, they crossed White River to the south, going by the rough mountain trail to the squaw camp.

During the night ride, the Utes were hilarious, and drinking from bottles of liquor. One greasy and uncouth-looking Indian rode alongside Josephine and said, "Good squaw. You my squaw."

From the loot, the captives were furnished with sufficient blankets for bedding. Some of the squaws assisted them to be comfortable. Susan wept, and felt sorry for them. The next day Jane and Douglas' squaw, "Quana," went back to the agency garden to get vegetables.

Ouray Learns of the Fight

Johnson's squaw, Susan, who was a sister of Ouray and who had been opposed to the Utes fighting the soldiers, quietly sent a Ute boy from the squaw camp, the next day after the fight began, to notify Ouray that the White River Utes were fighting the soldiers. Ouray was on a hunt in the mountains when the message arrived and was not expected home for several days. Chipeta, like Ouray, ever mindful of her loyalty to the government and of keeping peace within the Ute tribe, mounted her pony and rode to the mountains, where she found and informed Ouray of the situation at White River.

Ouray, angered by the hostility of the White River tribe, which he had at all times hoped to prevent, at once returned to Los Pinos, and arranged, October 3rd, with the agent, Major W. M. Stanley, to send an employee, Joe Brady, with a note from Chief Ouray to Douglas and other hostile chiefs of the White River tribe, to stop fighting.

As an escort for Brady, Ouray selected his most trusted sub-chief, Sapavanero, who was a brother of Chipeta, and who, like Ouray and others of the older southern Utes, could talk and understand both English and Mexican languages. Shaveno, Aguila, and two other trusted Indians of the Uncompahgre reservation, were in the party.

The distance from Los Pinos to Milk Creek by the Ute trail was approximately one hundred and forty-five miles.

First Report of the Massacre at the Agency

October 2nd, two men by the names of Bill Meadows and J. A. Warefield, prospectors with wagon and saddle horse, who had been prospecting for some time in the Blue Mountain country during the season, were on their way back to Clear Creek County, prospecting at times on the way. They crossed the divide from Bear River by way of Coyote Basin and Strawberry Trail to White River, not knowing they were within the limits of the White River reservation. They had not heard of the Indian trouble. (They were merely passing through an unfamiliar country).

About three o'clock p. m. when within half a mile of the agency, they saw smoke arising from the smouldering buildings. They stopped the wagon, while Meadows, with saddle horse, went to investigate. He saw the dead men lying about the ruins. Realizing it was the White River Agency, he made haste to the wagon to inform his partner of the horrible sight.

They turned on the back trail to Bear River, where they made camp late in the night. Knowing of the settlement on Snake River, Meadows, the next day, reported at the Bagg's ranch what he had seen. The news was not carried further, as

Rankin, the courier, had gone to Rawlins three days before with the report of the Thornburg disaster, and troops were expected any hour on their way to the relief of the entrenched men, and would look after conditions at the agency.

Range Cattle Moved In

October 3rd, 1879, George Hangs and Denny Gaff, who had driven a herd of cattle from the Arkansas valley to the Bear River country, one week before, made their camp at a spring in Big Gulch, which later was known as Brazzle Spring. Leaving a young man, Freeman Ray, in charge of the camp, Hangs and Gaff went to the lower country to look for winter range for their stock.

When they returned late in the evening, they found Ray in the wagon. He had been shot in the side of the face. A horse which was on stake near camp, had become excited. Fearing he might break away, Ray went to quiet him, and was shot, supposedly by a renegade Ute in ambush back of a ridge. Ten head of their work and saddle stock on the range, near camp, were stolen. Ray, suffering severely from his wounds, was taken to Tom Iles' cabin on Bear River. He was treated by Surgeon Kimmel of Merritt's command, when they were on their way to relieve Thornburg's men.

RELIEF FORCES

General Merritt received his orders at eight o'clock on the morning of October 1st. The message was wired to Cheyenne and rushed by courier to Merritt at Fort D. A. Russell, two miles distant. Merritt at once summoned his orderly to sound the assembly bugle call. When all officers and privates gathered at his quarters, he informed them of the Thornburg disaster, and gave orders to make ready to move as soon as possible.

Horses and mules and the larger part of their field equipment were at Camp Carlin, one mile away. (Camp Carlin was established in 1867, as a temporary military post for the protection of the Union Pacific Railroad construction while Fort D. A. Russell was being built. It was later used as a supply base for military posts. The site is now in the resident district of Cheyenne).

Merritt's forces were shipped to Rawlins in two special trains. The Union Pacific officials and trainmen cooperated in every way to speed the troops on their mission. Tom Moore, chief packer, was in charge of loading. The first train left Cheyenne at two p. m. The second train followed

three hours later. The specials were given the right of way on the main line with double header and pusher over the Sherman hill. To keep the stock in condition for the strenuous ordeal, a stop was made at Laramie for food and water. The trains arrived at Rawlins in the early morning of October 2nd.

All troops were active in preparation for the long march. Merritt's command was made up of Companies I, A, B and M, of the 5th Cavalry. Each company composed a troop of about forty-five men. The names of his staff officers were Captain J. A. Auger, Troop A; Captain Kellogg, Troop I; Captain Montgomery, Troop B; Captain Babcock, Troop M; First Lieutenant William B. Weir, an ordnance officer in charge of government rifle repair works at Camp Carlin, a volunteer; Captain Hall, an ordnance officer.

Paul Humme, rifle tester at the repair works (a volunteer), was appointed chief scout by Merritt, and Colonel Compton (a volunteer), and Surgeon A. J. Kimmell, made up the official staff.

The equipment for the march was composed of fifty pack mules, each with a light pack of provisions to allow speedy movement, and in charge of Tom Moore. While packing the mules at Rawlins, Moore was approached by a young lad of nineteen, with a six-shooter hanging from his belt. He had smuggled in on the same train with the soldiers from Laramie during the night. He asked to be taken along with the expedition. Moore scrutinized him carefully and decided he might be useful in assisting the cooks and packers. He was furnished a mule to ride and allowed to go along with the expedition.

Each cavalryman was equipped with a blanket, cavalry rifle, and small knapsack containing hardtack (similar in size and appearance to the commercial dog biscuit), and a canteen of water or coffee, slung to their saddle and back.

While the men were preparing for the march, General Merritt was in conference with Joe Rankin, to learn the particulars of the situation at Milk Creek. Rankin advised Merritt to employ Jim Baker, and with Colonel Compton, he left Rawlins one hour in advance of Merritt, to engage Baker, who lived twelve miles up Snake River from the road crossing, to go as scout for the expedition.

Rankin accompanied the expedition from Baggs Crossing to the trenches; then returned to Rawlins to take care of his stable business. He was later appointed U. S. Marshal of Wyoming, by President Harrison.

Merritt was joined at Rawlins by John C. Dyer, who was sent from Denver by Colorado state officials as reporter for the New York World and the Chicago Tribune.

Merritt's forces, with pack train, left Rawlins at ten-thirty a. m., October 2nd. A train of fifteen wagons with supplies followed several hours later with John McAndrews as wagon-master.

Dyer, the reporter, was mounted on a spirited horse engaged from Rankin's livery stable. On the way, his mount forged ahead of the cavalrymen. He was called to hold up, more than once, by the officer in command during the trip.

At Bagg's crossing, Merritt was joined by Jim Baker, who was dressed in buckskin, with his Sharp's rifle slung to the pommel of his saddle. He was riding "Brownie." Tom Duffy, a cowboy volunteer, also joined the troops. Fleeing settlers who camped on the Muddy Creek at the first alarm, moved to their homes feeling safe as Merritt's troops went south.

When Merritt arrived at the Thornburg reserve camp on Fortification Creek, Lieutenant Price with Troop I, of the 4th Infantry, and Captain Dodge's mule teams with supply wagons, were taken along. At Bear River, Merritt's command was joined by Bill Lisco and a small party from the Iles' ranch. Arriving at William's Fork the evening of October 4th, they made camp until two a. m., when they moved to the trenches.

An advance guard of eight men, with Chris Madsen in charge, was one-half mile in the lead. When they came near the trenches, a bugle call was given. It was received with shouts of joy from the men in the trenches, and the cry, "Old Wesley is here." It was five o'clock a. m., about one hour before daylight on the morning of October 5th, when General Merritt came up with the command. They advanced to the trenches. There had been no shooting by the Indians during the night. The men in the trenches were expecting Merritt for relief, Fort Russell being the nearest military post where a strong garrison of cavalrymen was available.

Although it was dark, men from the trenches rushed to meet their rescuers with a hearty greeting. No time was lost. A short consultation between General Merritt and officers, Payne, Dodge and Lawson took place. Preparations for action were quickly made. Surgeon Kimmel was engaged in treating the wounded. Lieutenant Price, Sandy Mellen and a small party were sent to bring in Thornburg's body. He had been scalped and left entirely nude.

Merritt Arranges His Men for Battle

At daybreak, Merritt was shown the stronghold of the Indian ambush. He at once arranged his men for a charge in case of an attack. One troop of the 5th Cavalry was ordered to the south side of Milk Creek to scout cautiously the foothills on the southwest. A large troop, composed of the 4th

Infantry and of the relieved, entrenched men, was ordered to advance along the ridge that had been held by the Utes as a stronghold, and along the bluffs on the north side of Milk Creek. Merritt held the main body of his men in reserve a short distance from the trenches.

It was clear daylight when Indians were seen to concentrate in a body by small bands on the bench where the fight started. Utes were coming from different directions. Merritt waited and watched their movements. The infantry on the north side fired several shots from the bluffs at a small band which was moving toward the group. The Utes retaliated with a few shots. This shooting was done at long range and neither party was in real danger. Apparently, the main body of the Utes' fighting force was gathered for council. Their number was estimated to be from one hundred seventy-five to two hundred Indians.

After waiting a few minutes, a lone rider was seen to leave the group and move toward Merritt's men, on the gallop. As the rider came closer, he was seen to carry a small white flag. Approaching Merritt, he told his mission and passed him a note. A stranger to all—he was Joe Brady, from Los Pinos Agency. The note was from Ouray to the leading chiefs telling them to stop fighting the soldiers. Brady had arrived at the hostile camp late the evening before. The chiefs had seized the opportunity to have Brady present their note to Merritt; to show their good intentions to quit the fight, and also to advise Merritt they wanted a new agent, and wishing to live in peace on their reservation. Merritt advised Brady to go back to Los Pinos; that he, Merritt, would look after the Indians.

When Brady returned to the group of Indians from which he had emerged, with no encouragement for them as a result of the conference with Merritt, other than the delivery of Ouray's note, the Indians, accompanied by Brady, left the Milk Creek country for the squaw camp.

Merritt Orders the Trench Camp Moved

Because of the Indians quitting the fight and the stench about the trenches being unbearable, Merritt ordered, the camp with the wounded men moved up Milk Creek, one mile to the east, where there was grass for the stock. Details of troops scouted the surrounding hills during the day.

From this camp, Captain Auger, with an escort of his cavalrymen and a detail of workers, was ordered to bury the dead. A list of wounded had been taken by Officers Payne and Lawson. The names of those killed were as follows: Major Thomas T. Thornburg, 4th Infantry; Michael Fireton, Company F, 5th

cavalry; John Burns, Company F, 5th Cavalry; Sergeant John Dolan, Company F, 5th Cavalry; Amos D. Miller, Company F, 5th Cavalry; Samuel McKee, Company F, 5th Cavalry; Charles Wright, Company D, 5th Cavalry; Dominic Caff, Company E, 5th Cavalry; Teamster Thomas McGuire; Wm. McKinstrey, wagonmaster; Scout Charles Grafton Lowry. Of these, all were buried near the trenches except Major Thornburg.

Scout Lowry, who was fatally wounded at the time of the fire, was thought to have been dead when trenches were being dug in haste during the night. He was covered with a part of a tent canvas and dirt from a trench. After five and one-half days, the bodies were being removed for burial, and he was found to be alive. With assistance, he sat up, although not being able to speak. He sipped some coffee when a cup was held for him. Surgeon Kimmel was called, and while he was probing for the ball, Lowry passed away.

A small party of infantry, with M. W. Dillon in charge, and Chris Madsen in charge of a troop of 5th Cavalry as an escort, was sent to bury George Gordon and his two teamsters, J. H. Brigham and son, at the ruins of their freight camp on Stinking Gulch.

The number of wounded men, in all, was thirty-eight. The larger number of these were slightly wounded. Some of those most painfully, but not seriously wounded, were: Sergeant James Montgomery, Troop E, 3rd Cavalry, wounded in the ankle; Private John Mahoney, Troop E, 3rd Cavalry, wounded in the thigh; Private F. Simmons, Troop F, 5th Cavalry, wounded in the arm; John C. Davis, in charge of suttle supplies for J. W. Hugus, wounded in the heel; Private J. H. Nicholas, Troop D, 5th Cavalry, wounded in the side; and Captain Payne, a skin abrasion over the abdomen.

Rescued Men on the Way to Fort Steele

Wagons and other preparations for moving were made ready, and on the morning of October 7th the wounded and all entrenched men, with Captain Dodge in charge, were on their way to Fort Steele. Thornburg's body, after being treated by Surgeon Kimmel, was sewed in canvas. From Rawlins it was shipped east for burial. All settlers who volunteered their services with Merritt returned home from this camp. Merritt rested his stock for two days and awaited arrival of his supply train.

Official Expressions Regarding Ute Precaution

During their restful hours in camp, Jim Baker, General Merritt and some of his official staff expressed their opinions as to why the Utes had quit the fight. The first and most logical one was that the Ute scouts (with field glasses), had seen Merritt's troops on the road the evening before, and had decided to keep out of their way. The next opinion was that Ouray's note held some weight. The third opinion expressed was that the Utes were short of ammunition.

Merritt's Record March

General Merritt's time from Rawlins to the trenches, including stops to feed, two-hour stop at Thornburg's reserve camp, and eight hours at William's Fork, was sixty-six and one-half hours, breaking all records filed by the war department for distance and time in a forced march of cavalry troops.

Colorado and Wyoming legislatures passed resolutions of thanks, complimenting Merritt and his men for their prompt relief of the entrenched men.

Merritt's Forces Moved to White River

On October 8th, Merritt moved his forces to White River. On their way down Coal Creek Canyon, a teamster from Fort Union named Brown, one of Dodge's men, when passing the old agency coal mine, discovered the body of a man in the mouth of the mine. A halt and investigation was made. From the note found in his pocket, he was identified as Frank Dresser, who had escaped wounded, during the slaughter at the agency. It was later determined he had walked and ran the fifteen miles during the night and had lost a great quantity of blood, and become exhausted. His coat was folded and placed under his head for a pillow. Price's rifle, which he had when last seen at the agency, was not found. It was presumed to have been taken by the Utes when on the way to the squaw camp.

A few miles farther down Coal Creek, Merritt's men passed the dead bodies of Carl Goldstein and Julius Moore, and the ruins of their freight wagons. One mile farther on, the troops met Joe Morgan. Joe, after hearing of the Thornburg disaster while at his home on Snake River, started with his brother, Dave, to go to Morgan Canyon, where three younger brothers were living. He found them gathering their horse band to move them north of Snake River, as their horse range had been burned over by the fire started at the trenches. Since Joe had been quite friendly with the White River Utes, he had no fear of them. He, being curious to know, had gone to the agency to see for himself the conditions there, and was returning by way of Coal and Milk Creeks.

Merritt, not knowing Morgan, and believing he might be a renegade spying for the Indians, ordered him disarmed and held under arrest. At White River, Merritt made camp one mile below the mouth of Coal Creek and within four miles of the agency. When Jim Baker, who was on scout duty during the march, came to camp, he identified Morgan as his near neighbor on Snake River, and Morgan was released.

Merritt spent three days at this camp. A supply of I. D. Beef was gathered in from the range. A party was sent to bury Dresser, Goldstein, and Moore. Lieutenant Weir, with an escort, was in charge of a detail of soldiers to bury the men at the agency, including Eskridge, who was killed and left nude in the road.

Scouting parties were sent out each day, mainly on the White and Grand River divide, to watch the movements of skulking Indians, who, with field glasses, were spying on soldiers, and to view a route over the divide to the south on which to move their wagon stock and pack train, as there was no wagon road leading south from White River.

Additional Troops Had Been Ordered

Following the ordering of General Merritt to the relief of the Thornburg men, additional troops were ordered by General Crook, as a precautionary measure, to be in readiness at Rawlins should their services be needed.

Of these there were two troops of infantry from Fort Snelling, Minnesota, in command of Colonel Gilbert, and one troop of infantry from Fort Douglas, Utah. On their arrival, they made camp at Rawlins Springs, awaiting further orders to move south. Two troops of cavalry were ordered from Fort McPherson. The order was countermanded before the troops reached Rawlins.

One troop of the 3rd Cavalry left Fort Laramie in command of Major Henry, traveling overland. At the same time, First Lieutenant C. A. H. McCauley was sent from Fort Omaha to Rawlins to take charge of transportation in forwarding supplies to Merritt's headquarters, and also to establish a courier line to convey war department messages between Rawlins and General Merritt.

Joe Brady arrived at Los Pinos Agency by way of the Ute squaw camp, where he learned of the killing at the agency, and saw the captive women and children. Chief Douglas told Brady that if the white men came to him who were friends of the Utes, they would surrender the women and children to them unharmed. This message was wired October 8th, from Los Pinos to Denver and Washington. Carl Schurz, Secretary of the Interior, communicated by wire with Charles N. Adams, special

agent of the postoffice department, located in Denver. Adams previously served as agent at White River and at Los Pinos. Schurz, knowing of his faithful and efficient service to the government and of his experience in dealing with the Ute Indians, appointed him to look after special work, with instructions to proceed at once to plan the rescue of the captive women and children.

Squaw Camp Moved to Grand River

On the same day Brady left the squaw camp, the camp was moved; the first day to Parachute Creek, and the next day to Grand River, near the mouth of Roan Creek.

Courier Line Established

The Rider arrived in Rawlins one day in advance of Lieutenant McCauley, after the close of the cowboy job with Frank Harrah—and with two cowboys who arrived in Rawlins from a job on the trail with cattle herds driven from Oregon to Wyoming (owned by George Lang and Matthew Ryan of Fort Leavenworth), and with Hy Armstrong of Rawlins, the four cowboys were employed by McCauley as couriers, each assigned to a station on the line.

A carload of cavalry horses was shipped from Camp Carlin to Rawlins, from which the couriers selected their mounts. Besides being branded U. S. on the left shoulder they were branded I. C. under the overhanging mane (which indicated "inspected and condemned.")

Lang and Ryan drove eight herds, 16,000 stock cattle, from the Owyhee, John Day and Malheur Rivers, Oregon, in 1879. They were classed, sold and distributed in small herds to ranch settlers in the Laramie and Cheyenne districts who were engaging in the cattle business.

About the same time, General Adams received instructions to proceed with the rescue of the captive women. General Merritt was wired a message from the war department. On the morning of October 9th, three couriers left Rawlins for the south, each leading their extra mount. Armstrong was assigned the Rawlins to Sulphur Springs ride. With an occasional change of mounts, the three arrived the same evening at Perkins' quarters on Snake River, the station to which Billy Thomas was assigned.

Jack Davis had just arrived from the trenches. The main body of men from the trenches had gone by way of Baggs Crossing. Davis was moving about with the aid of crutches, nursing his wounded heel. Davis ordered a new stock of sutler's supplies at Perkins' store to be sent to Merritt's headquarters. He later was manager for J. W. Hugus & Co. chain stores.

On the arrival at Tom Iles' cabin on Bear River (bachelors hall), arrangements were made for the third courier station to which Alex. Hasson was assigned. Norris Brock, a neighbor homesteader, had congregated with others at the Iles ranch during the Ute scare. He was impressed as a cook. During conversations at this station it was noted that Jerry Huff, Bill Lisco and Iles had joined Merritt's troops, going as far as the trenches. Clark, the surveyor, and Mansfield, the agency employee, left Iles' for Greeley. The Rider, continuing with the Merritt message at two o'clock a. m. by way of Morapos Trail, saw, when passing the scene of slaughter, at the trenches, that bears, coyotes and magpies were having the feast of their lives on dead horses and mules.

At the crossing of Milk Creek, Sergeant Thomas, of Company E, 3rd Cavalry, a survivor of the trenches, was met. He had gone with Merritt's forces from Milk Creek to White River, for the purpose of carrying out to Rawlins, Merritt's message reporting conditions found at the agency and to be wired to Washington. He was leading an extra horse, which appeared to be a good one. The courier's mount, being of condemned stock, was weary, and he requested an exchange for the fresh mount. This was agreeable with Thomas, who remarked that the horse's name was "Humdinger." He also stated that Merritt's command was starting to move south from White River when he left.

After a few strenuous jaunts over the courier route, it was evident that "Humdinger" made good for that which the slang term applies—"the best." From Merritt's abandoned camp on White River, the trail was followed, and the expedition overtaken at the head of Flag Creek. The caravan had stopped. Passing by the long line of wagons and pack mules, soldiers in the lead were found working like beaver, clearing a road through the quakenasp, through which to move their supply train. General Merritt was at the head directing road work. An advance guard of two cavalry troops was doing scout duty on the divide, one-half mile in the lead.

After reading the message, Merritt was grieved, showing great disappointment because of being halted in his effort to engage the Indians in battle. His first remark was, "Oh, hell; here I am, tied hand and foot." The message read: "Stop further efforts to engage the Indians; an effort to rescue the captives is being made from the south. Camp in the vicinity of the agency until further developments." Road work was stopped. A short time was taken for lunch, which consisted of coffee, hardtack, and a liberal "help-yourself" to I. D. beef, roasted on a stick held over campfire coals. The Rider joined in the feed. The army returned to White River the

same afternoon, making camp on the same grounds they had left in the morning, and awaited developments. Merritt's men showed as much disappointment as Merritt himself.

Chris Madsen, of the 5th Cavalry (one of Merritt's men who was an eye witness to the struggle between Buffalo Bill and Chief Yellow Hand, and years later U. S. Marshal of Oklahoma), in a conversation with the Rider, remarked that if Merritt and his men had known the contents of the message before it was delivered, they would have paid to have the courier hog-tied or killed before the delivery of the message could have been made. Chris Madsen, at present time, is living at his home in Guthrie, Oklahoma.

The Rider Views the Ruins of the Agency

Accompanied by Lieutenant William B. Weir, the ruins of the recently built agency were viewed. Weir, who was in charge of a detail of soldiers that buried the unfortunate men four days before, described the scene. Of the nine men whose names have already been mentioned herein, and whose bodies were laid to rest beneath a grove of cottonwood trees between the river and the agency, Mansfield was the only male employee who escaped with his life. All buildings were burned except a wagon shed and the large store building which had been fired. It had recently been built of green, hewed cottonwood logs which did not burn. Three tons of flour that was stored therein had been dumped on the floor and the sacks taken by the Indians. The flour was burned to a crisp over the top. The agency flag pole, from which the stars and stripes floated, representing a government institution, was not molested. Soldiers, freighters and agency employees, in all, 27 men, were killed.

Through the courtesy of General Merritt, a special tent was provided alongside his official tent, with bedding for the accommodation of the reporter, Scout Jim Baker and couriers, who were assigned to "mess" with Captain Kellogg's troop. The "mess" was composed of choice viands and other delicacies, from salt pork, hardtack, snitts (dried apples) and coffee. The regular morning mess was sowbelly, chopped fine, fried in the dutch oven, then crumpled hardtack and water was added, and the whole allowed to simmer a few minutes. It was named s-of-a-b by the soldiers. Some of the burned agency flour was used by the soldier cooks, but after a consultation was held by General Merritt, and Surgeon Kimmel, (whose decision was that the flour might contain poison) its use was forbidden.

The wagonload of sutler store supplies from Perkins' store arrived at Merritt's camp with Al. Durham as teamster, and Wilber Hugus in charge of supplies.

The young man, Bill Marston, picked up at Rawlins by Tom Moore, was having the time of his life. He had taken on the appearance of a full-fledged frontiersman. Seeking further adventure, he begged to be allowed to join cavalry troops detailed for scout duty. Moore nicknamed him "Colorow Bill."

Major Henry Arrives

Major Henry, with one troop of 3rd Cavalry, arrived at Merritt's camp, making the trip overland from Fort Laramie. He made camp for one night at Mountain Meadows. Joe Colom, (who was living in the vicinity of the Meadows and who, during the hay season, had put "in stack" one hundred tons of native hay which he later sold to Kirk Calvert and Bill Aylesworth) was on the hunt for one of his oxen, strayed from his camp. He happened to stop at Evan's camp.

Major Henry, not knowing him, suspected he was spying for the Indians. He said to his sergeant, "Hold this man under guard." After a considerable length of time and much explanation, Joe convinced Evans he was a settler living one mile away in the canyon. Joe was released. He became a prominent stockman of that section, and was the original locator and owner of the Mount Streeter Coal Mine.

Major Henry's troop was mounted on a "gray horse" cavalry, forty-seven, all dapple grays. To horse lovers, they were a beautiful lot.

THE RESCUE

General Adams to the Rescue of the Captive Women and Children

General Adams arrived at Los Pinos October 18th. He was accompanied by Count Von Doenhoff, a special reporter. Adams was soon in conference with Chief Ouray. Assisted by Agent Stanley, they at once made preparations for the ninety-mile trip. A wagon with provisions and camp equipment, and a light wagon were taken along so that the women and children could ride with more comfort than to travel by horseback. For an assistant, Adams engaged his old-time friend and frontiersman, Captain W. M. Cline, who was keeping a small trading store on the Cimarron Creek fifteen miles away, and near the east line of the Uncompahgre reservation. He knew the Indians well. George P. Sherman, bookkeeper at the agency, volunteered to go. Ouray selected his sub-chiefs Sapavanero, Shavano and eight other trusted Indians of the Uncompahgre reservation.

The route traveled was by way of the old Mormon road to a point on the Gunnison River. The party was unable to proceed farther with their wagons. Sapavanero sent two of his

Indians ahead to the hostile camp on Grand River to notify the chiefs of the coming of the party, and their mission.

In the meantime, Colorow, Jack, Johnson, Piah, and Persune had moved their tepees and the captive women and children sixteen miles south of Grand River, on the mesa of Plateau Creek—after the Ute scouts had seen Merritt's forces moving south from White River. Adams and escort were traveling by horseback some distance in the rear. Douglas, at the Grand River camp, sent Henry Jim, Laverro, and Cojo to meet the Adams party, and to tell them where to find the hostile chief's camp, which they reached the same day, October 19th.

The hostile chiefs had been notified of the party's approach and had closed up the tepees occupied by the women and they, themselves, kept under cover. With the help of the good scout, Sapavanero, who took the lead with Captain Cline and Adams, they looked into each tepee. They found Mrs. Meeker in Johnson's tepee, but she had previously been kept in Douglas' tepee. Mrs. Price and her baby boy were found in Johnson's tepee, but she had previously been kept in Jack's tepee, most of the time. Josephine and Mae Price, the three-year-old girl, were found in Persune's tepee, where they had been held during the twenty-three days. They had all been kept in widely-separated tepees.

When the women had been located, they were very much elated, saying, "We are glad you have come for us," General Adams and Sapavanero found and consulted with Jack, Colorow, Johnson, and Persune, who were not inclined to give up the women. Piah was scouting on the divide. Chief Douglas, when informed of the presence of the Adams party, left for the warring chief's camp, arriving late in the evening.

A stormy council was held, which lasted the greater part of the night. Because of Merritt's attempt to move south from White River, the chiefs had become alarmed, and moved south as far as they dared go. Ouray had previously forbidden the White River Utes to hunt or camp on the Uncompahgre reservation. Adams, Sapavanero and Shavano took part in the council. Several hours' conference followed, the chiefs at times making hostile threats, and Sapavanero using harsh words and threats in a persuasive argument for the release of the captives. Johnson's squaw, Susan, who had been taking part in the "pow-wow," became enraged. She burst out with a strong plea, demanding that the women be set free, as it was Ouray's orders that they must be released. After this demand, the chiefs gradually began to weaken. Chief Douglas made a proposition to Adams, that if he would go to White River and stop the soldiers from coming farther south, they would give up the women. As Adams had no authority to in-

terfere with Merritt's plans, he at first declined the proposition, but later decided it would be a quicker and easier way out, to have the women released. He accepted Douglas' terms. The women were told of their release, and to make ready for the journey to Los Pinos. With Captain Cline, in charge of the party, George Sherman and eight of Sapavanero's Indians, they started in the early morning by horseback to the wagons on the Gunnison River.

General Adams Accompanied by the Reporter, Doenhoff

Douglas, Sapavanero, and Shavano went to the main camp on Grand River in the early morning to have a short rest and feed. It was October 20th when Adams, with Chiefs Sowawie, Savinah, Pah-viets, Worzets, Charlie, and eight other of the White River Indians, selected by Douglas for the escort, went to Merritt's camp on White River to advise him of Chief Douglas' message. Adams had remembered Sowawie from the time he was agent at White River, and felt safe with him in charge of the escort. They went by way of the Roan and Yellow Creek trail.

At Merritt's Camp, October 20th

A detail scout troop, composed of Captain Hall, Chief Scout Paul Humme, Lieutenant Weir, Jim Baker, Colorow Bill, and eight private soldiers, was scouting near the divide and in the brakes of Pice-ance and Yellow Creeks. Scout Humme and Lieutenant Weir had left the main party, following and killing a deer several hundred yards away, back of the ridge. Weir was killed near the deer carcass. Humme was killed three hundred yards away in the aspens. On hearing the shots, Hall and his men appeared on the ridge overlooking the scene. Humme's mount was severely wounded. Weir's mount was recovered, uninjured.

Jim Baker and Colorow Bill, who were traveling separately from the party on a ridge six hundred yards to the south, fired several shots at three Utes they had seen making their get-a-way over a ridge to the south. The incident occurred about 3 p. m. The party was late getting to Merritt's headquarters to report the calamity.

Jim Baker reported to General Merritt that Colorow Bill killed the Indian who shot Lieutenant Weir. This report could not be confirmed, as the party left the scene without investigating among the aspens, for fear of being ambushed by the Utes.

Three troops of cavalry left Merritt's camp the same evening to recover the bodies. When ten miles down the river, on the Yellow Creek Trail, at dusk, they suddenly came

in view of what they thought to be a band of hostile Indians coming on the trail. The soldiers halted and prepared for an attack. The supposed hostile Indians seemed to be alarmed and were seen to scatter. Presently two of the party advanced showing a white flag. They were General Adams and Sowawic. The Ute escort had stopped and was greatly excited, some of them fleeing under cover of a nearby ridge, until Adams and Sowawic, with difficulty, persuaded them there was no danger.

The cavalry troops recovered the body of Lieutenant Weir after dark, but did not find Scout Humme's body until a cavalry troop returned the next day.

When the Adams party arrived at Merritt's camp, Adams and the reporter were received at Merritt's headquarters. Merritt would not allow the Ute escort in Camp. They were given provisions, and made camp for the night among the cottonwoods nearby. From Adams and the reporter, Merritt and his men, including The Courier, had first direct information from the hostile Ute camp. Jim Baker talked with Chief Sowawic, leader of the escort, getting some information in regard to their movements and camp.

A Second Party to the Rescue of the Women and Children

When the women were yet in the Grand River camp, Josephine wrote a note and sent it by a grandson of the old warrior chief, "Black Hawk." This grandson was one of the Uintah Utes who were leaving the hostile camp for their home reservation. The note was addressed to Agent E. B. Crichlow at White Rocks Agency, requesting his assistance in the release of the captive women. The Indians also told the agent that Chief Douglas had said that if white men came who were friends of the Utes, the Utes would give up the women, but would murder them rather than release them to the soldiers.

Two young men employees of the agency, named P. S. (Pete) Dillman, and Clint McLane, volunteered to go with Black Hawk's grandson and five other Uintah Utes as an escort. They went to the hostile camp on Grand River, after a two-days' delay in getting a sufficient number of horses for the occasion. When they arrived at the Grand River camp, they learned that General Adams had been there, and had sent the women and children to Los Pinos, and that Adams had gone to Merritt's camp on White River.

When Adams returned to Grand River from Merritt's camp, he met Dillman and McLane. At first sight, he mistook them to be renegade whites assisting the Indians. They convinced him who they were by a note carried from Agent

Crichlow. Adams said, "You're lucky if you get out of here alive."

After Adams left the camp for Los Pinos, Douglas insisted on Dillman and McLane going to Merritt's camp to tell him, "Utes heap sorry," and ask Merritt to help them get a new agent, as they wanted to go back to their reservation.

When Dillman and McLane appeared at Merritt's camp, with an escort of Indians, Merritt (showing the same disregard for the welfare as the Adams escort), would not allow the Indians in camp for fear of cooties. The men reported their mission, which like Adams' mission, had no significance other than to satisfy Douglas. Merritt could promise them nothing.

In the meantime, Captain Cline of the rescue party, and the captive women and children, arrived at the Los Pinos Agency. They were affectionately received by Ralph Meeker, son of Agent and Mrs. Meeker, Major Pollock, and Agent Stanley. The women were taken to the home of Chief Ouray where they remained for two days. Ouray treated them with great kindness. Chipeta wept, and was much grieved for them. They were given all the comforts of a well-furnished ranch home. Ralph Meeker had been in school in the East when he heard of the White River Agency disaster. He joined Major Pollock, who was sent out from Washington as special investigator of the White River Indian trouble.

From Ouray's, the women were accompanied by Ralph Meeker. They went by mail stage to Alamosa, where they rested two days with friends. They then went by train to Denver, where they stopped with friends, and where they were interviewed and questioned by reporters. From there, they went to their home in Greeley, where they were received with great joy by their friends.

Josephine was given a position in Washington as secretary for Senator Teller, and at the request of Secretary Schurz, she gave lectures in Washington and other eastern cities of her knowledge of the Ute Indians. She died early in life because of pulmonary affliction.

Women Describe Treatment Received While in Captivity

Mrs. Meeker, describing treatment she received while in custody of the Indians, said Douglas was drinking. He treated her badly, taunting and threatening her with violence, and pointing a rifle at her. At one time, he stood over her with drawn butcher knife, when she was so weak and exhausted from long rides on the bare back of a pony. She said that Douglas' squaw treated her mean, tormenting her and at times not letting her have food for thirty-six hours. She admitted being repeatedly harrassed by their indecent proposals, but escaped

assault. Mrs. Meeker and Josephine were each allowed a life pension from the government by Congress. She lived to a ripe old age, at her home in Greeley.

Mrs. Price, with her baby boy in her arms, rode behind Cojo part of the time, and behind Johnson the rest of the time, when moving camp. In camp, she was compelled to divide her time between Jack and Johnson's tepees, and to cook for them and others of the tribe. She suffered all the indignities against which womanhood revolts. Rifles were pointed at her; at times with threats to shoot. She gave credit to her children for not having been treated with more brutality. The children romped and played with the Indian children. In a way their antics amused the older Indians. One Indian wanted to trade her three ponies for her boy, and when she refused, they tried to steal the boy from her.

Persune had shown much courtesy and kind treatment toward Josephine, although he had a squaw of his own. He was in possession of stolen government blankets. He gave certain squaws each a present of a blanket. The captive women were given blankets from which they made dresses for themselves and children.

The women had not learned from the Indians coming from Milk Creek, about the fight with the soldiers, except they learned the soldiers were in holes in the ground. The women had nothing but praise for the good squaw, Susan.

After the squaw camp had been moved to Grand River, the young bucks who had taken part in the Milk Creek fight celebrated their victory with a war dance. Dressed in paint, feathers and other war regalia, they danced around a large sagebrush fire they had made for the purpose, filling the air with fierce yells and war whoops, and went through imitations of killing soldiers.

Political Propaganda

Sensational rumors were afloat about Denver, which spread to other parts, including Washington, of Ute Indian depredations; that the Southern Utes had made hostile demonstrations; that the entire Ute tribes were preparing for war; that three hundred Arapahoe Indians were on their way to join Jack, and the White River Utes in their fight with the soldiers; and that many Indians and 250 horses and mules had been killed in the Milk Creek fight.

These rumors were carried to the extent that the Colorado State Militia was ordered to the northern border of the Southern Ute reservation. Requests were made to the war department for additional troops for protection in case of emergency. General McKenzie, from Fort Garland, with three troops of

the 4th Cavalry, was on guard at Lake City, a newly-established mining camp. Other troops were stationed at Animas City, with a strong reserve at Fort Garland.

Chief Douglas, after learning that Chief Ouray had been appraised of their fight, sent a message to Ouray, stating that the fight his tribe was having with the soldiers was a fight of their own, and requested that there be no interference by other tribes. So far as was known, no Southern Utes participated in the Milk Creek fight.

Ouray, when questioned by government officials as to the peaceful attitude of the Ute Indians, replied that the Uncompahgre Utes were satisfied and peaceful, although minor depredations had been committed on the Southern Ute reservation by a small band of renegades led by Sapavadero, Osapaw, Red Jacket, and a few followers, against the miners and settlers of the San Juan basin area, during the season. But at that time all was peaceful, and that the White River tribe was dissatisfied with their agent—but a general hostile outbreak was not expected.

Washington News

In spite of persistent efforts of Colorado Representatives Belford, Akins, and Teller, for three years, the bill for removal of the Ute Indians from Colorado had not received recognition from eastern congressmen, since the majority of them were in sympathy with the Indians. Governor Pitkin personally made a plea before Congress for passage of the bill.

November, 1879. The Government's Peace Policy

The captive women being restored to their homes, the government undertook to bring the chiefs responsible for the massacre to justice, through a peace policy, rather than attempt to arrest them by military authority. Carl Schurz, Secretary of the Interior, appointed a commission composed of General Edward Hatch, who was in command of the U. S. army in New Mexico, General Adams, and Chief Ouray, to investigate the recent trouble at White River.

It was surmised by Secretary Schurz that, through the influence of Ouray, the guilty Indians could be persuaded to come in where they could be questioned by the commission, and the crime placed upon those responsible for the murders.

Ouray sent messengers to the hostile camp, ordering the leading chiefs to come to Los Pinos Agency. After several days' delay, Johnson, Douglas, Washington, Piah and four less important Utes came in, and were examined. All appeared in a sullen mood. Douglas seldom answered questions, and

when he did, spoke in an angry tone. All positively denied knowing anything of the killings.

The meeting was held in an abandoned log store building, which at that time was being used as a stable.

Billy Burns, "white," an employee of the Southern Ute Agency, served as interpreter of Ute, Mexican, and English. The hostile chiefs were armed, and at one time the commission seemed to be in danger of their lives because of the hostile disposition shown. The meeting continued two days. The commission decided that no conclusion could be reached as a result of the examination.

Ouray suggested that the chiefs go to Washington and treat with the Secretary of the Interior. This seemed to be satisfactory to the hostile chiefs, and early in December, a party composed of Ouray, Chief Douglas, Johnson, Sowawie, Piah, the commission, and a small military escort, went to Washington. After several days of examination and parleying, the Utes denying all questions implicating them in the massacre, Secretary Schurz decided nothing could be accomplished without all of the hostile chiefs. The delegation was ordered to return to Los Pinos.

Washington Conference

On January 20th, 1880, a second attempt was made by the Secretary of the Interior, Carl Schurz, through the commission, to bring the guilty Indians to justice. Chief Ouray went personally to the camp of the White River Utes on Grand River to persuade all of the hostile chiefs to come to Los Pinos, where the delegation would be taken to Washington for a conference with the secretary. The chiefs were sullen and caused several weeks' delay before Ouray finally succeeded in gathering them in.

General Hatch arranged with Buckskin Charlie, Ignacio's leading, influential sub-chief of the Southern Utes, for him to bring in the leaders of the Uncompahgre renegades, who had taken part in the Milk Creek fight. General Hatch and Adams went to stop with Captain Cline on the Cimarron, while Ouray was gathering in the hostile Indians. Many messages passed between Adams, Hatch, and Secretary Schurz, who had about lost all faith in getting the guilty chiefs to come in.

Adams and Hatch complained to Secretary Schurz that Agent Stanley was interfering with their plans to gather in the guilty Indians. Schurz wired Stanley to attend to his own business and to assist, rather than interfere with the work.

As a consolation for the hostile Utes, supplies were furnished them from Los Pinos, February 15th, 1880.

Douglas, Jack, Johnson, Sowawie and Piah came in from the hostile camp. Colorow, the old Spalpeen, and a leader in making trouble, would not submit to an examination. Buckskin Charlie succeeded in bringing in Gueno, Waro, and Billy, of the Uncompahgre renegades who took part in the massacre. Persune, the dominant character who took charge of Thornburg's outfit, Josephine and the stolen blankets, could not be found. Neither could Cojo be located.

The commission, which included Ouray, with seven of the principals who were leaders in the hostilities, started for Washington February 28th, 1880.

Douglas was in the same sullen mood as before. The delegation went by way of Fort Leavenworth, where Douglas was placed in the federal prison until the case was decided, and the excitement of the White River tragedy had quieted down.

During the investigation, all the Indians were sullen, except Ouray. When questioned, they shook their heads and pretended they knew nothing about the matter. Jack, when questioned by Secretary Schurz as to whether or not he was implicated in the Thornburg fight, pretended he did not know what Schurz was talking about. When questioned in Spanish, he made no reply. After more questioning, he replied in plain English, saying that he had had nothing to do with it. The investigation continued three weeks. The government insisted on two points: The relinquishment of the leaders responsible for the murders, and removal of the Indians from Colorado.

Ute Jack, when questioned by General Adams why the Utes murdered the men at the agency, replied that they were killed because twenty Utes had been killed during the Milk Creek fight. This reply was given little credit, and was in keeping with many other answers made by the Utes during the investigation and which were known to be false.

The Utes, being very sullen, several days were spent parleying. Even Ouray was loathe, at first, to sign an agreement calling for their removal and exchange of reservation lands. Ouray was accompanied by Chipeta on this trip. She received many presents from Secretary Schurz and other admirers while in Washington.

Press news from Washington, March 6th, 1880 stated: "The Ute Indians sign bill today ceding their lands to the government."

The investigation was a farce so far as bringing the guilty Indians to justice was concerned.

A few years later, General Adams' death was caused by a gas explosion in the Gomery Hotel, Denver.

Chief Douglas Attempts Escape from Prison

Chief Douglas, a short time after he was confined in the federal prison at Fort Leavenworth, made an attempt to escape, when a prison guard took him out on a second floor porch of the prison quarters for an airing. The guard returned to the building to answer a call. Douglas, seizing the opportunity, climbed over the rail, slid down a post and disappeared. When the guard returned and found Douglas gone, he notified two mounted guards who took up the trail, and overtook Douglas a few blocks away.

THE MILITARY SITUATION, COMMENTS, TRANSPORTATION AND EPISODES

Military Operations at a Standstill

December 5th, with the Indian situation in the hands of the interior department, military operations were at a standstill, awaiting developments. Communication between General Merritt and army headquarters had slowed down. The Rider was making occasional trips with messages. On one of these trips he stopped at the trenches to count the dead horses and mules.

About the only relief from the monotony at the camp were stories told by Jim Baker of his experiences about Bridger's Fort and among the different tribes of Indians while loafing at the sutler tent; pitching of horse shoes by the soldiers and the braying of pack mules for the bell mare. (A brief explanation). Since all government wagon and pack transportation moved by mule power, the white "bell" mare was a necessity with expeditions on the frontier. The peculiarities of the mule you perhaps know (especially the kick). Mules readily become attached to a white mare, along with the tinkling of the bell, which prevented straying when not hitched, grazing or moving on the trail; the actions being similar to a hen with a brood of young chicks.

General Merritt was relieved of his command on White River about December 5th, to resume his duties as commander of Fort D. A. Russell.

Merritt was accompanied on the way by John Dyer, a reporter, who was returning to his home in Denver, there being no news of interest to report. (Dyer later operated a saloon in Rawlins for many years).

Merritt's troops were left in charge of his official staff, and the camp was thereafter known as the White River Military Camp. Major Henry, in command of Company H, 3rd

(the gray horse) Cavalry, was ordered to Fort Laramie, his home post.

Major Evans was sent out from Fort Omaha as commander of Fort Fred Steele to fill the vacancy caused by the death of Major Thornburg.

Infantry reserve troops, camped at Rawlings Springs, were ordered to their home posts.

The Transportation Problem

In the meantime, Lieutenant McCauley was solving the transportation problem. Tent stations were established at suitable points on the route, for the convenience and comfort of teamsters, packers and stock. One of these stations was Baggs' Crossing of Snake River. It was used as a transfer station, with Captain Gillis in charge.

From Baggs' Crossing, the old road by way of Fortification and Milk Creek was abandoned on account of deep snow. A route with less snow must be found. Lieutenant McCauley employed the old time mountainer, Bibleback Brown, to pilot him over a new route by way of Timberlake Springs and Jack Rabbit Springs to the junction of the draw with Big Gulch, where a station was established. At the same time, Tom Emerson was building a house in the Jack Rabbit draw and was making preparations to operate a saloon and road ranch. The route continued by way of Spring Gulch and Nine Mile divide to White River. A station was established at Spring Gulch with C. H. Hauser of 5th Cavalry in charge.

December 20th, deep snow and severe cold made scouting on the divide unnecessary. Some riding was done by cavalrymen looking after I. D. cattle, from which source the beef supply for the camp was obtained.

Indians from the hostile camp stole fifty head of I. D. cattle from the White River range, moving them over the divide to Grand River; thus assuring them of their winter meat supply. Deep snow prevented them from drifting back.

The camp was made as comfortable as possible with available material at hand. There was no hay on White River. Snow was from twelve to twenty-four inches deep. The two hundred and fifty horses and mules had to be provided for. Twenty-five per cent of the less serviceable stock was sent to Fort Steele for the winter. Pack mules and wagon stock were in service, moving supplies. Cavalry horses at the camp were fed ground corn from a mill, operated by hand, twice daily. Cottonwood trees were cut down. The bark and branches were given the stock for browsing during the night. All horses not in service were taken out under herd, each day, to forage on the hillsides.

Father Meeker was an economist of the old school, with no former experiences in dealing with Indians, and no doubt was too deeply interested in his plan to civilize and educate the Indians to become self-supporting, to realize the danger of their treachery. His threat to call the soldiers was his doom.

General Merritt and General Crook were men of cool judgment, with strong convictions, and were brave soldiers, with many years of experience in dealing with hostile Indians.

Thornburg had the reputation of being a brave soldier. He was a crack pistol shot, the equal of Buffalo Bill in breaking glass balls and hitting pieces of coin and other small objects when tossed into the air. Although men in the trenches were subjected to extreme danger and suffering, the facts did leak out, and resentment was shown when it became known that disobedience to Thornburg's orders left him exposed to the onslaught of the hostile Indians.

Captain Lawson, having served with General Crook during the Apache war in Arizona in 1873 and 74, was lieutenant of Company E, 3rd Cavalry during Crook's campaign against the Sioux Indians in 1875 and 76. He was first officer in rank next to Captain Payne, eligible to take command. He was sixty years of age at that time.

Foreign Born

It may be of interest to note that fifty per cent of the men of Company E, 3rd Cavalry, were foreign-born Irishmen. The other fifty per cent were largely American, with a sprinkling of foreign-born Germans and Swedes, and under command of Captain Lawson, whom they respected, they made good soldiers. A number of them were honorably discharged from the army while garrisoned at Fort Steele, and became prominent citizens of Wyoming, engaging in stock ranching and other pursuits.

Charley Williams, Company E blacksmith, rounded out fifty years at the blacksmith trade in Rock Springs, Wyoming, after his discharge from military service at Fort Steele in 1881.

The many foreign-born soldiers in the U. S. army at that time may be accounted for as follows: At the close of the civil war the U. S. army was at a low ebb, because of a shortage of native American men as recruits. A large army was needed to cope with the Indian situation in the west. Treaties were to be made with the various Indian tribes, and negotiations completed to locate them on reservations. Military posts were to be established for the protection of railroad building, miners, and settlers. European men for enlistment, and laborers for railroad work, of which the Irish predominated, were solicited by the government.

Courier Facts

Scout Joe Rankin, John Gordon, and McRea, a soldier of Company D, 5th Cavalry, were the only men to leave the trenches during the six-day siege. (The foregoing note is intended to correct false statements that have been made and many times published by the press of Colorado, since 1879, stating that others had made strenuous rides from the trenches to Fort Steele for relief. The truth of the statement made in the beginning of this paragraph may be verified by a number of men who were soldiers in the trenches, and by pioneer settlers within the area who knew the facts. Other articles have been published stating that Rankin ran the entire distance from the trenches to Fort Steele on foot. Dreams of personal fame by way of idle talk).

Courier Line Abandoned

The Cowboy courier line was abandoned by order of Lieutenant McCauley, January 8th, 1880. The Rider, accompanied by Jim Baker (who was also discharged from his scout job), left Merritt's camp by way of the new route for Rawlins.

Cavalrymen carried the few messages and mail between Merritt's camp and Baggs', where they connected with the Rawlins mail line.

W. H. Peck, Indian trader at Bear River, was hauled before the governor and federal officers in Denver in an investigation in regard to his sale of rifles and liquor to the Indians. He escaped prosecution, however.

Troop I, 4th Infantry, from Merritt's force, was assigned to guard duty at the Baggs ranch.

W. G. Reader furnished range beef for the Baggs camp. Hay was scarce on Snake River. Captain Gillis, with difficulty, secured a few half-ton loads at \$40 per load.

Romance

No story is complete without its hero, heroine, or romance. In this case, it's romance.

After Merritt's forces had passed Snake River on their way south to relieve the entrenched men, Al. McCarger (familiarily known as Old Mack), left his home and followed in their wake, feeling safe from hostile Indians, to look for his teams, stolen from his freight camp on Deer Creek. While Mack was gone, Bill Humphrey, driver of the buckboard carrying mail to Rawlins, in a love arrangement with Margaret McCarger (Mack's youngest daughter), persuaded her to go with him to Rawlins and get married.

The story was afterwards told by Captain Gillis, when introducing McCarger to his acquaintances at the transfer sta-

tion, where Mack was delivering freight. He would say, "This is Mr. McCarger. While he was hunting for his stolen horses, the mail carrier stole his daughter."

On January 1, 1880, the newlyweds took charge of the road ranch at Sulphur Springs, relieving the Dave Lambert family. Carrie McCarger assisted her sister with the work.

Government Supply Transportation Inadequate

January 10th, 1880, the winter was exceptionally severe with snow and cold. The government was short of mules to move supplies to White River. Fifty large, sleek, fat mules, with close-sheared manes and tails, were bought at the sales stables in St. Louis, and shipped direct from comfortable stables to Rawlins for service in moving supplies to Merritt's headquarters.

Because of the change from the lower altitude to the higher, and severe cold in the open, the majority of them were stricken with colds and pneumonia. While moving freight, one or more mules of the team might become affected and die on the road, or while tied to the wagon during the night camp, others, developing pneumonia, chilled and froze to death.

About twenty-five per cent of them were saved by moving them to the government stables at Fort Steele, where they were under the care of the post veterinarian. Private teams were engaged for moving supplies, and by shoveling through many snowdrifts, got as far as Baggs' Crossing, government camp, with their freight. There it was transferred to pack mules to be moved to Merritt's camp. The "Aparajo" (a leather, pocket apparatus hung to the pack saddle), was used in all government pack transportation.

Horses Stolen

The Ute Indians scare was yet in the air when eighty-five head of George Baggs' range horses were stolen from his corral, where they were being held during the night to prevent theft, as suspicious characters had been seen in the neighborhood. Two months later, sixty-eight head were recovered from the open range in the Green River country, ninety-five miles distant. No arrests were made as the thieves could not be found.

Rawlins Was a Hot Town

Rawlins, with a population of about 800, largely railroad employees, had six saloons. The town was filled to overflowing with the class of men who drift to excitements of this nature; government mule skimmers, soldiers, bull-whackers, gamblers of the better class down to the tinhorn type. Gambling and drunken brawls were a regular nightly occurrence.

Lavin Brothers' saloon, on the south side, was the most notorious dive in town. For seven successive mornings there was a dead man, (but not for breakfast.) Frank Kanuth and two teamsters were murdered by knife or pistol during drunken brawls in the Lavin saloon. One man was killed in the less notorious saloon of John Foote; one a suicide in a redlight dive. A teamster died of pneumonia after drinking during a carousal, when he spread his shakedown in the stall of an old stable. There were others who passed out with their boots on in a similar manner in the Lavin saloon.

A government mule-skinner named Clark, crazed by desperate liquor, held men in suspense in the business section of town in daylight, taking shots with a Winchester rifle at one and all who appeared on the street within his range. Finally, the sheriff dispatched the desperate lunatic with a rifle.

Pat O'Grady, section boss at Filmore, twenty-two miles west, came to Rawlins (as was his custom after receiving his monthly pay check from the Union Pacific pay-car), to lay in another month's supply of provisions for his family and section crew of five. While making the rounds for purchases, he had served his thirst with "Rawlin's Best" at the different saloons, and was toting a gallon jug of the beverage, for home emergency, and had about exhausted his pay-check roll. Calling at Perry Smith's meat market, where he had previously ordered a quarter of beef, he remarked, "Perry, I can't pay you-all for that beef until next pay-day." "Well, Pat," said Perry, "how much can you pay down." "D—d little, if any," said Pat. Perry, being one of the liberal sort, could not deny Pat, who was a regular customer. When a small payment was made, Pat left with his monthly meat supply.

Distinguished Visitors

No less a personality than "Calamity Jane," with a somewhat less notorious companion, "Cotton Tail," a "dizzy blonde," from Cheyenne, Sidney and the Black Hills area, made Rawlins a few days' business call during the height of the Ute excitement. "Little Van," with one eye directed at the ceiling, the other at the floor, presided at the bar of the Foote saloon: beloved by all, for he was just one of the boys.

Paul Fuhr, with his family, moved from his ranch to Rawlins during the Indian scare. In order to recover losses in cattle caused by the hard winter, he took up his former occupation of dealing cards from the silver box.

Joe B. Adams was Union Pacific agent at Rawlins. R. W. Baxter, who, at the age of fifteen, learned to manipulate the telegraph keys at the Rawlins Office while employed as messenger boy, was day-train dispatcher, and Henry E. Flavin

was night dispatcher. They took care of messages and government freight shipments during the Ute trouble. Baxter was later superintendent of the St. Louis & Southwestern R. R.

As there was no bank in Rawlins, arrangements were made for having government vouchers and Union Pacific pay checks cashed at the Jim France store.

Jim Baker secured cash for his government voucher and spent several days in Rawlins (it being his custom when in town for ranch supplies). The livery stable office and saloons provided the only public loafing places in town. As a surprise for Jim, he met his old-time friend of trapping days, Jack Sheard, who had come to Rawlins from Laramie to look for a job moving freight. With an occasional drink while comparing notes, they recalled former experiences about Fort Laramie and Bridger's Fort. Each had a hearty laugh, and many a trickle of tobacco juice spread over Jim's chin as their tales were greatly enjoyed by all congregated to hear them. Jim was not a blower or a chronic boozier, but would take a drink with the boys any old time, and it was possible for Jim to become "three sheets (or more) to the wind" occasionally, when going the rounds with a jolly bunch having a night out.

General Crook Directs Transportation

January, 1880, General Crook came to Fort Steele and Rawlins from Omaha, and personally assisted in directing transportation. A route with less snow was sought between Rawlins and Sulphur Springs.

Second Lieutenant W. D. Beach, a tenderfoot recruit from West Point Military School, was put in charge of a wagon and camp equipment drawn by six white mules accompanied by an escort of soldiers with Bill Hawley, Hat Creek cattleman, as pilot. He was sent from Fort Steele, to select a route by way of Bridger Pass. The mercury was forty below at the time. (Lieutenant Beach, now a retired Brigadier General, lives at San Diego).

Sandy Mellen, who accompanied Captain Dodge to the trenches, was stable-boy, taking care of stock at Fort Steele during the winter. He later engaged in stock ranching on Buffalo Creek in North Park, the creek taking the name because of wild buffalo ranging there. Later, he, in conversation with The Rider, when addressed as Mr. Mellen, remarked, "Just call me Sandy."

Conductor E. S. Peck Frozen to Death

On January 8th, 1880, freight conductor Peck of the Rawlins-Green River division of the U. P. Railroad, and his brakeman brother Will, and Tom Branson, vacationed from their regular run to hunt antelope.

Going by train to Creston station, thirty miles west of Rawlins, they hunted for two miles south of the U. P. tracks. The conductor became separated from the brakemen. A severe snow blizzard came along, which made hunting antelope impossible. The two brakemen found their way to Creston station.

The blizzard continued until late next day. Fourteen inches of snow, piled high in drifts, had fallen. As the conductor had not returned, the brakemen reported him lost. A dozen horsemen from Rawlins hunted the country over for two days, but failed to find him. The Union Pacific officials offered a reward for the finding of Peck's body. Mike Sweet and The Rider, who had just arrived from the courier line, undertook the job. The Union Pacific Company furnished a box car for transportation of saddle horses and camp equipment and delivered the party to Creston station.

The second day, January 16, the body was found within five hundred yards of the U. P. tracks, two miles east of the station. Peck had attempted to start a fire in a clump of sagebrush by lighting a match to fire a letter taken from his pocket, but failed. His rifle was near the body. His face had been eaten and disfigured by coyotes. "Rawlins Best," of which he had a small supply left in a bottle, failed to overcome the icy attack of Boreas.

Merritt's forces, after spending the seven winter months at the White River camp, were relieved in April, 1880, by other cavalry troops.

In April, 1880, the government, through a program of construction, built bridges over Snake and Bear River crossings. Contracts were let to a number of freighters. Building material and supplies were on the way to White River, where a temporary military post was established, and designated White River Camp.

A telegraph line was built from Rawlins to the new post.

End of Ute Jack

April, 1880, Jack returned from Washington in the same frame of mind that had prevailed with the Utes while at Washington, caused by fear of punishment and loss of their cherished home reservation. He went north, with three others of the tribe, to the Shoshone-Arapahoe reservation on Wind River, Wyoming.

It was said by some (but not confirmed) that he had intended to persuade the Arapahoe Indians to join in war on the whites. The story of the killing was told by John Burns, of Lander, Wyoming, who was an employe at the agency and an eye witness to the affair.

Colonel Smith, in command of Fort Washakie, which adjoined the reservation, learned of Jack's presence. With Jack's record of hostilities fresh in mind, he decided Jack was there to make trouble. He wired to Washington about the situation, and received instructions to arrest Jack. Sergeant Brady, with a detachment of soldiers of the 7th Cavalry, was ordered to make the arrest.

The soldiers met Jack, with rifle in hand, near his tepee. When surrender of his rifle was demanded, Jack shot and killed Sergeant Brady; then immediately dodged into his tepee while others of his tribe ran to Arapahoe tepees. The soldiers withdrew to a safe distance from rifle shot. Colonel Smith ordered a mountain howitzer (a small cannon) from the fort, which was trained on, and riddled, the tepee, thus ending the career of Jack.

Since that time, numerous articles have been published in the press of Colorado lauding Ute Jack as captain; a compliment he had not known during his life. (It is just too bad for Jack that he had been dead too long to appreciate the honor).

The Ute Indian, "Hanna," captured when a small boy by a band of Arapahoe Indians when engaged in war with Utes over disputed hunting grounds in the Snake River country, in 1865, died at the Shoshone-Arapahoe Agency April, 1932. He had been ever loyal to the Arapahoe tribe. During his entire time with the Arapahoes, he never visited the Utes.

The Thornburg Monument

A monument to the memory of Thornburg and his men who lost their lives in the Milk Creek fight was erected October 20th, 1881, by order of the war department. A block of Indiana, gray colite granite, weighing nine tons, was carved in Chicago with a list of the names of the killed and wounded. It was shipped to Rawlins in two sections, and freighted to Milk Creek by Sam Fairfield, with bull teams.

The monument stands one-half mile from the road and its view is obstructed by cottonwood trees. (This note is written as a plea, hoping that it may awaken public interest among the citizens of Colorado, that they petition proper authorities of the government to provide means whereby a public road may be opened by way of the pioneer and natural route on the north side of Milk Creek, placing the monument on the map, and in view of travelers who pass that way).

During the summer of 1880, Agent Meeker's remains were removed from their resting place at the site of the burned agency, and interred at Lin Grove Cemetery at Greeley.

A marker to the memory of the Dresser brothers, Frank and Harry, was placed in Lin Grove Cemetery, but their remains were not removed from White River.

The remains of Lieutenant Weir and Paul Humme, scout, were removed to the government burial grounds at Fort Laramie, for interment.

ORNITHOLOGY OF THE ROCKY MOUNTAINS 1857

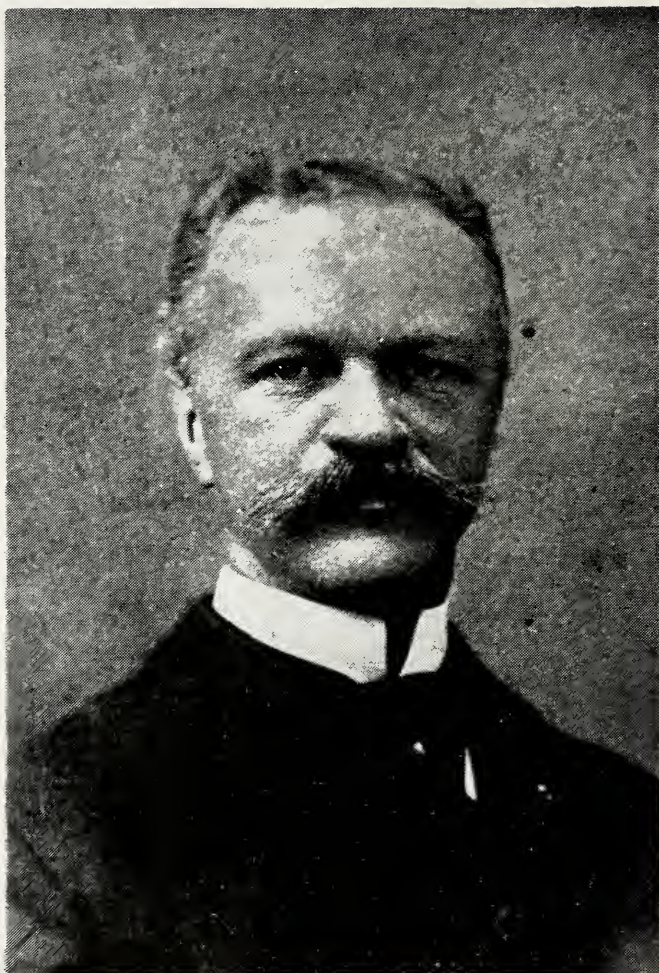
In those early days when expeditions for discoveries in sciences were sent out by the Smithsonian Institution, it was necessary as well as customary that they travel under the protection of the Military.

In the Annual Report of the Board of Regents of the Smithsonian Institution for the year of 1858 we find:

Wagon road construction through the South Pass, under Wm. M. Magraw.—This expedition was fitted out in the spring of 1857, with Dr. J. G. Cooper as surgeon, and Mr. C. Drexler as hospital steward and taxidermist. Dr. Cooper returned to Washington before the beginning of the year, bringing large collections with him. Mr. Drexler continued with Mr. Magraw's party, and wintered on Wind River. In March he crossed to Camp Scott, near Fort Bridger, where, remaining until June, he made a very extensive collection of birds, illustrating very fully the ornithology of the Rocky Mountain region, and throwing much light on the geographical distribution of the species. His success in this was mainly due to the protection and aid afforded by General A. E. Johnston, in command of the forces, by whose direction every facility was afforded him.

CORRECTION

The factual account of George Mitchell which appeared in the last issue of the *Annals of Wyoming* was prepared by the editors from an interview, by Virginia Cole Trenholm, and supplemented by material from a previously published biography. The interview, containing Mr. Mitchell's reminiscences, was not published because of lack of space.



THOMAS STURGIS
Secretary, Wyoming Stock Growers Association
1876-1887

Documents and Letters

WYOMING CATTLE QUARANTINE, 1885

By W. Turrentine Jackson*

The cattle industry of the Great Plains reached its most successful stage of development during the 1880's, and the rancher of the Cattle Kingdom, proud of this achievement, zealously protected the interests of the industry and carefully guarded his own stock. Among his greatest anxieties was the fear that contagious disease might spread among the herds of cattle on the range. Since the beginning of the "long drive" of Texas cattle to the northern plains in the 1860's, the stockman had known that cattle from the southern section of that state bordering the Gulf of Mexico were likely to be infected with a disease commonly known as "Texas fever" but also spoken of as "splenic" or "Spanish fever."

The cause and exact nature of Texas fever were unknown and this tended to increase the fear of the disease. As long as the Texas cattle remained in the Gulf area, the fever did not appear among them; but when they were driven into Kansas and Nebraska, the cattle of the northern plains became infected as a result of walking over or feeding upon the trails along which the Texas cattle had passed. Although the Texas cattle apparently were immune to the deadly effects of this disease which they were communicating, they were most likely to spread the disease within two or three months after leaving their native range.¹ Thus herds which were driven slowly were not as apt to transmit the disease as those pushed rapidly through northern Texas, Oklahoma, and Kansas into the northern plains; and experience soon proved that the most probable period for the disease to be spread was during the months of June, July, August, and September.² As a result of this knowledge, the

*For Mr. Jackson's Autobiography see *Annals of Wyoming*, Vol. 15, No. 2, p. 143.

1. The fever was transmitted by ticks which the southern cattle carried on their bodies to the northern range. Ticks, often left on the grass or in the brush along the trail, were picked up by the northern cattle. However, in 1885, cattlemen did not know the manner in which their stock became diseased.

2. Joseph Nimmo, "The Range and Ranch Cattle Business in the United States," *Report of the Internal Commerce of the United States, 1885* (Washington, 1885), 118-120. An excellent explanation of Texas fever is found in these pages.

earliest laws to protect the cattle of the northern plains prohibited the introduction of Texas cattle during these months or provided a period of quarantine for those which did arrive during the summer and fall.

Kansas was the first state to pass a law restricting the movement of Texas cattle. During the summer months, herds were barred from entering the eastern counties of the state where they would contact the local stock. As Kansas farmers moved westward, the area where the Texas cattle might be driven was reduced and quarantine regulations established for the period from June to November. Drivers of the herds had to follow the trails farther and farther to the west.³ The northern drive was seriously checked by the Kansas quarantine regulations of 1884 and 1885, for in the latter year the state was placed under quarantine from March to December. As cattle could not be driven northward during the three winter months, the practical result was that all Texas cattle had to be retained in quarantine for a specified period before being permitted to cross Kansas.⁴

Missouri, Colorado, Nebraska, and Dakota passed similar laws regulating the northern migration of Texas cattle between 1875 and 1880, but Wyoming and Montana took no action. The Wyoming Stock Growers' Association reported that "Texas cattle brought from the southern part of Texas are dangerous to our cattle for about sixty days from the time they leave their native ranges and that the same cattle can be brought among our stock after sixty days have elapsed with entire safety."⁵ Joseph Carey, at one time Wyoming's delegate to Congress and president of the Stock Growers' Association, felt that it was "perfectly safe to admit to our ranges Texas cattle which are driven on the trail. By the time they reach Wyoming and Nebraska, when moved in that way, they appear to lose entirely their liability to impart the so-called Texas fever."⁶

The quarantine laws of Kansas, Missouri, and Colorado made it possible for those states to regulate the commerce in cattle between themselves and Texas. This control over interstate commerce was not permissible under the federal constitution and the constitutionality of the Missouri statute was soon challenged in a case before the Supreme Court. The court decided that a general restriction against all Texas cattle was

3. Ernest Staples Osgood, *The Day of the Cattleman* (Minneapolis, 1929), 162-163.

4. Edward Everett Dale, *The Range Cattle Industry* (Norman, 1930), 70, 106.

5. Quoted by Nimmo, *op. cit.*, 120. It was believed that infected Texas cattle could transmit the fever for only a short period after they left the native range. After two months, the possibility of infection was very slight.

6. *Ibid.*

illegal, but that a state, after an expert inspection of the cattle, might place quarantine restrictions on those suspected of disease. This right was based upon the police power of the state to protect the general welfare of its citizens. The outcome of this judicial decision of 1877 was the establishment of veterinary services in the states and territories of the Cattle Kingdom, and Wyoming was among those appointing a veterinarian empowered to inspect the cattle arriving on the territorial range.⁷

As early as 1881, a fear of Texas fever had been expressed by the Wyoming cattlemen in the meetings of the Stock Growers' Association.⁸ The following year the territorial legislature responding to the requests of the association, passed a law empowering the governor to appoint a territorial veterinarian who would be recommended to him by the executive committee of the Stock Growers' Association. The veterinarian was charged with the responsibility of notifying the governor of any disease among the cattle of the territory, and the governor, in turn, was required to issue a proclamation forbidding the transfer of any animal from the locality in which the disease was prevalent. The governor was to prohibit the importation of cattle from other states or territories where disease existed. Diseased areas were to be announced by official proclamation. After the governor's proclamation was issued, any individual or corporation that should receive or attempt to transport cattle from infected areas was subject to a fine from one to ten thousand dollars for each offense and also liable for all damages which resulted to other Wyoming stockgrowers.⁹ In pursuance of this law, the governor appointed James D. Hopkins as territorial veterinarian.¹⁰ At the annual meeting of the Stock Growers' Association for that year, Thomas Sturgis, the secretary and an outstanding cattleman in the territory, proposed that the association appoint committees to go to Nebraska, Colorado, and Iowa during the next session of the legislatures of those states to secure the passage of laws providing for quarantine inspections similar to the Wyoming statute of 1882.¹¹

7. Osgood, *op. cit.*, 163-164.

8. Louis Pelzer, *The Cattlemen's Frontier* (Glendale, 1936), 103.

9. "An Act to Suppress and Prevent Dissemination of Contagious and Infectious Diseases Among Domestic Animals," Chapter 41, *Laws of Wyoming, 1882*.

10. "Report of Thomas Sturgis, secretary of the Wyoming Stock Growers' Association," *By-Laws and Reports of the Wyoming Stock Growers' Association*, April 4, 1882, 17.

11. Minutes of the Annual Meeting of the Wyoming Stock Growers' Association, April 3, 1882. Russell Thorp, Secretary-Chief Inspector of the Wyoming Stock Growers' Association, has generously provided the author with copies of the minutes of the association relative to the participation of the Wyoming cattlemen in the movement for national quarantine regulation and in the organization of the National Live Stock Association.

During 1883, an epidemic of pleuro-pneumonia broke out among the cattle of several states east of the Mississippi. This contagious lung disease had been introduced into the United States from Europe and had existed to a limited extent in the states along the eastern seaboard prior to 1880. Late in 1883 the contagion was carried to Ohio, and from there cattle in Illinois, Missouri, and Kentucky became infected.¹² Like all stock owners in the United States, the Wyoming cattlemen were alarmed.

Although the secretary reported that no cattle disease existed in the territory during 1883,¹³ the Wyoming cattlemen who assembled for the annual meeting of the association were apprehensive over the failure of states where contagious disease existed to control the movement of infected stock. Convinced that federal legislation was necessary, the association adopted a resolution to appoint "a committee of five to unite with stock associations and state agricultural societies of the different states, in calling a congress of stock growers to meet in Chicago, Illinois, in the month of September, 1883, for the consideration of, and securing of, such national legislation as will prevent the spread and stamp out contagious pleuro-pneumonia from the states now infected."¹⁴ The association sent its committee to Washington, D. C., and outlined to the Commissioner of Agriculture, George B. Loring, the importance and necessity for national control and requested that he attend the Chicago convention. Twelve delegates were sent to the national meeting by the Wyoming Association, and they constituted two-thirds of the representatives from the High Plains. At Chicago, the cattlemen adopted resolutions recognizing the presence of pleuro-pneumonia east of the Mississippi River and that the disease could not be extirpated without the cooperation of the federal government. When a committee was chosen to prepare a bill and urge its passage by Congress, Sturgis, who had been chosen secretary by the convention, and Carey, Wyoming's Congressional delegate, were chosen to represent the Wyoming stockgrowers on this body.¹⁵ The upshot of the activities of

12. *Special Report on Diseases of Cattle* (Washington, 1942), 326. This report by the Bureau of Animal Industry, Department of Agriculture, states that the disease has been eradicated from the United States. Many sources of information on Texas fever and pleuro-pneumonia are available, such as *Special Report on Contagious Diseases of Domesticated Animals* (Washington, 1881), 196-282, 291-298; "Report of the Chief of the Bureau of Animal Industry," *Report of the Commissioner of Agriculture, 1885* (Washington, 1885), 431-568.

13. Pelzer, *op. cit.*, 104.

14. Minutes of the Tenth Annual Meeting, Wyoming Stock Growers' Association, April 2-3, 1883.

15. "Report of Thomas Sturgis, secretary of the Wyoming Stock Growers' Association," Eleventh Annual Meeting, April 7-9, 1884.

the committee was the passage of a law creating the Bureau of Animal Industry in the Department of Agriculture. One of the functions of this bureau was to make rules and regulations to suppress infection from disease and to cooperate financially with any state or territory attempting to eliminate communicable diseases in its stock. The Wyoming Stock Growers' Association was forced to exert its tremendous economic power to assure the passage of this measure in Congress.¹⁶ Before adjourning, the Chicago convention of 1883 passed a resolution authorizing the call of another meeting in Chicago during November, 1884, to establish a permanent cattlemen's organization to be called the National Cattle Growers' Association.¹⁷

In addition to the anxiety over pleuro-pneumonia, Texas fever was becoming a much greater threat due to the shipments of Texas cattle by rail as far as Ogallala, Nebraska. Hopkins explained to the Stock Growers' Association that the three or four months which Texas cattle spent on the "long drive" lessened the possibility of Wyoming cattle becoming infected and that the elimination of this time factor by rapid rail transportation would produce a real menace.¹⁸ Sturgis, in his annual secretary's report to the association for 1884, called attention to the fact that a considerable part of the one hundred thousand head of Texas cattle contracted for by the Wyoming and Nebraska cattlemen would be shipped by rail, and insisted that some adequate quarantine regulations be enacted to protect the northern cattle industry.¹⁹ The events of the summer proved that his alarm was certainly justified. The first shipment of Texas cattle by rail arrived at Ogallala in May and within a few weeks splenic fever appeared among the Nebraska cattle which grazed near the unloading point. Trails leading north and northwest of Ogallala became infected and large numbers of cattle died of disease. Herds of five thousand head or more trailed into Wyoming losing from thirty to fifty head daily. Cattle being imported from the eastern states and cattle being shipped from Wyoming to the Chicago market became contaminated as they crossed the trail of the Texas cattle. The executive committee of the association sent the territorial veterinarian to ascertain the cause of the death of the cattle,

16. Osgood has explained the work of this first national convention of stockmen, 169-173.

17. "Report of Thomas Sturgis, secretary of the Wyoming Stock Growers' Association," Eleventh Annual Meeting, April 7-9, 1884.

18. Nimmo, "Opinion of Dr. James V. (D.) Hopkins, territorial veterinarian of Wyoming, in regard to the relative liability to disease resulting from the movement of cattle from Texas by rail and by trail," *loc. cit.*, 232.

19. Osgood, *op. cit.*, 164.

and he reported that evidence everywhere showed unquestionably that it was splenic or Texas fever.²⁰ Convinced that more stringent measures had to be adopted, the executive committee of the Wyoming Stock Growers' Association prepared a revision of the Quarantine Law of 1882 which required that all cattle shipments into Wyoming must be accompanied with a certificate recording the residence of the cattle for ninety days previous to shipment and stating that no other cattle had been added to the herd within that time limit. A veterinarian's certificate testifying to the health of the cattle was of no value. If residence in a non-infected area could not be proven, the territorial veterinarian was required to place the shipment in quarantine until he was certain that the cattle were not diseased.

In April, 1885, Hopkins, the veterinarian, notified Francis E. Warren, Wyoming governor, that contagious pleuro-pneumonia and Texas fever had again appeared among the cattle of several states and territories to the east and south of Wyoming.²¹ To avoid the disastrous developments of 1884, Warren issued a proclamation on April 4, 1885, prohibiting the importation of cattle into Wyoming from certain counties in Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, Illinois, Ohio, Missouri, and the District of Columbia. Furthermore, Texas cattle could not be admitted until after the first of November if they had been brought any part of the way from Texas by rail. All cattle east of the Missouri River were to enter the territory only by railroad, be unloaded in the cattle yards at Cheyenne, and there be inspected by the territorial veterinarian. According to Warren's proclamation, unless the veterinarian was convinced by the owners that the shipment had not originated in a restricted area or come in contact with any cattle from one of these sections, the entire shipment was to be placed in quarantine for ninety days.²²

Cattle being shipped to the Wyoming range or in transit through the territory averaged over 50,000 head annually and the responsibility for inspection placed a tremendous burden upon the veterinarian and his assistants. During April, the owners of four herds of cattle shipped from Illinois were unable to present satisfactory proof that they had not been exposed

20. Nimmo, "Extract from the Annual Report of the Executive Committee and Secretary of the Wyoming Stock Growers' Association for the Year 1885," *loc. cit.*, 233-234.

21. James D. Hopkins, Report of the Territorial Veterinarian in the "Annual Report of the Governor of Wyoming," *Report of the Secretary of the Interior, 1885* (Washington, 1885), II, 1209-1210.

22. The original proclamation of Francis Warren is in the Interior Department Records, The National Archives.

to disease and their stock was detained. Two of these herds, which numbered twenty and thirty-two head, were being shipped into Wyoming; one was destined for Utah Territory; the fourth for Idaho Territory.

As soon as the news of the action in Wyoming reached the surrounding states and territories, there was an uproar of criticism from the railroad, interested shippers, and speculators in cattle. The executive committee of the Stock Growers' Association resolved that the territorial quarantine regulations must be rigidly enforced to safeguard the welfare of the cattlemen of Wyoming. Fortunately for the interests of the stockmen, the territorial governor, Francis Warren, was a member of the executive committee of the association and an owner of large ranching interests. Complete cooperation existed between the governor and the stockgrowers, and through Sturgis, secretary of the association, Warren officially transmitted all matters relative to the enforcement of the quarantine law to the executive committee for action. Governor Warren was so active in enforcing the cattle quarantine that a large percentage of his official correspondence is devoted to the subject.²³

The week following the issuance of his first proclamation, the governor was called from the territory for twenty days, and E. S. N. Morgan, territorial secretary, became acting governor. The first correspondence protesting the quarantine reached the executive offices on April 22, 1885, and Morgan, in accordance with his instructions, forwarded all letters to Sturgis or to Hopkins, the veterinarian. The executive committee of the association learned that the state of Missouri was not quarantining counties where pleuro-pneumonia had broken out or restricting the movement of cattle within that state in any manner, and, as a result, Morgan issued a proclamation on May 2, 1885, stating that all cattle from Missouri or which had passed through that state would be quarantined upon reaching Cheyenne.²⁴ One herd of eighty-nine bulls shipped from Missouri was detained the day the proclamation was issued. Toward the end of the month, a shipment of two hundred eleven head of Missouri cattle destined for Dakota was likewise retained in Cheyenne.

The governor returned to Wyoming the last week in May, and immediately turned his attention to urgent requests from Union Pacific officials that cattle shipments on the railroad

23. This Warren correspondence is available in the *Executive Proceedings of Wyoming*, Department of the Interior Records, The National Archives. All Warren letters used in this article are in manuscript form in this collection.

24. Original proclamation of Morgan is in the Interior Department Records, The National Archives.

not be delayed. He wired the Salt Lake supervisor, "No cattle blockade here. . . . Expect to throw no obstacles in the way of shipments over the Union Pacific if shippers comply with Quarantine Proclamation. . . . Am anxious to start those now detained and will do so soon as satisfied of safety."²⁵ To Thomas L. Kimball, general traffic manager of the Union Pacific in Omaha who had protested the quarantine of cattle being shipped into Idaho, the governor wired, "You have been misinformed entirely. More than nine-tenths of the cattle shipped have passed through without quarantine. Everything stopped for inspection at Cheyenne. Desire in no way to divert business from Union Pacific. Am of the opinion the law will fully protect you for delayed shipments."²⁶

Warren later wrote Kimball in part

I am aware that vigorous protests will be made by those who submit to quarantine regulations and perhaps the fewer detained the more violent will be these complaints, and I regret exceedingly that we must intercept a single hoof of cattle in transit, but it does seem as if we had better suffer some inconvenience and loss now than be subject to contagious [*sic.*] diseases and ruinous losses later on. . . . To insure safety of our herds shall be the only motive.

The Executive in issuing quarantine proclamations does so in abeyance [*sic.*] to law, with no intention to *make* law and I wish to assure you that this office will not unwillingly allow unnecessary loss to accrue to the Union Pacific Railway or to shippers of cattle. [Relative to] legal points, you are perhaps better informed than I can possibly be as you doubtless have all the laws before you and have *in addition* many precedents likewise established by Railroad expressions which are inaccessible to me . . . I assure you every effort of this Territory through this office shall be to protect your corporation.

In conclusion, I beg to thank you in behalf of the cattle owners as well as on the part of the Territory for your expressed wish to aid in the protection of the western cattle ranges.²⁷

Vigorous protests continued to be received from Salt Lake, and Warren finally wrote the railroad executives in disgust

There is no occasion for complaint on the part of the people west of us . . . To say that Wyoming is "blockading" the shipment of cattle to favor and profit some few indi-

25. Warren to C. F. Annett, May 23, 1885, Telegram.

26. Warren to Kimball, May 23, 1885. Telegram.

27. Warren to Kimball, May 26, 1885.

viduals is a charge too absurd and petty to deserve a moment's notice. The Government and the people of Wyoming have no necessity to resort to such means, but will protect their interests in Livestock matters as well as in all others; regardless of unfavorable comment by those from outside who *will not* inform themselves of either our actions or our motives . . . if the safety of herds seem to demand the detention of some one or more suspicious shipments, we will be compelled to put them in quarantine however much we may deprecate the necessity.²⁸

The railroad men within Wyoming were much more in sympathy with the quarantine regulations than the officials in Salt Lake and Omaha. The Wyoming legislature of 1885 had adjourned without making an appropriation for the construction of yards wherein the diseased cattle could be quarantined, so the divisional superintendent of the Union Pacific authorized the temporary use of the railroad's stockyards in Cheyenne for this purpose. Both the governor and the veterinarian realized that these yards were unsuitable because all shippers had to unload their stock where they might be exposed to pleuro-pneumonia or Texas fever by the herds in quarantine.²⁹ The veterinarian soon appealed to the executive committee of the association to provide adequate quarantine yards for the territory, and an appropriation was immediately granted. Located near the railroad a mile east of Cheyenne, the new yards included twenty-nine acres enclosed by a barbed wire fence. Nine corrals in which 3,000 cattle could be quartered were supplied with water from Cheyenne, and several sheds were constructed for shelter to the north.³⁰ The Union Pacific Railroad bore the expense of building a switch from the main line leading to the new quarantine yards, and local railroad men cooperated with the veterinarian in disinfecting the Cheyenne railroad stockyards and the cars in which diseased cattle had been transported.³¹ The new yard was completed the first week in June, 1885.

Governor Warren, concerned over the welfare of shippers, personally corresponded with some of the men whose cattle had been detained in Cheyenne. C. Jackson of Mountain Home,³²

28. Warren to Annett, June 4, 1885.

29. Warren to Kimball, May 23, 1885; Warren to James D. Hopkins, June 4, 1885. The diseased herds were separated from those undergoing inspection only by a board fence.

30. Pelzer, *op. cit.*, 104-105.

31. Hopkins, Report of the Territorial Veterinarian in the "Annual Report of the Governor of Wyoming, 1885," *loc. cit.* (Washington, 1885), II, 1209-1210.

32. Mountain Home is located in Alturas County.

Idaho Territory, had protested the retention of his shipment of twenty-one head in April and his complaints to Union Pacific Officials in Salt Lake had instigated much of their criticism of the restrictions. Jackson wrote directly to Governor Warren in June asking the immediate release of his cattle. The letter was referred to the territorial veterinarian who notified the governor that the Jackson shipment could not be released "with safety to the territory" until June 21, sixty days after their first confinement. The governor wrote a lengthy explanation to Jackson.³³ Another shipment confined in April had belonged to John B. Hunter of Illinois. Hunter arrived in Cheyenne the first of June, 1885, with a letter of introduction from R. J. Oglesby, Governor of Illinois, requesting that his cattle be liberated even if special consideration was necessary. Warren wrote the Illinois governor

Hunter has been in consultation with me regarding his stock, and I believe he is fully convinced that I am doing all that is possible, under the law, for the Executive to do. Our territorial law leaves the Governor of Wyoming no discretion whatever as to individual lots of cattle.

Under our laws the Governor must issue his proclamation scheduling and quarantining all localities where disease is reported to exist, and also all near localities where the cattle may have been exposed. . . . The Governor having issued his proclamation, cannot, under our law, make exception in certain cases, and can only revoke his proclamation, and in that event to revoke would not liberate those already in quarantine.³⁴

Cattlemen in several states from which shipments were curtailed by the all-inclusive language of Warren's proclamation of April 4, 1885, protested to their governors, and several of these executives endeavored to prove that pleuro-pneumonia did not exist in their states. Henry B. Harrison, Governor of Connecticut, wrote Warren in May submitting statements from the Connecticut Commission on Diseases of Domestic Animals denying the presence of disease in Connecticut. Warren forwarded the communication to Sturgis with a note, "What are your views in relation to withdrawing the quarantine regarding Connecticut?"³⁵ With the approval of the Stock Growers' Association, Governor Warren issued a proclamation on June 4, 1885, revoking that part of his proclamation of April 4 which

33. Warren to Jackson, June 5, 1885.

34. Warren to Oglesby, June 6, 1885.

35. Warren to Sturgis, June 3, 1885.

applied to the state of Connecticut and notified Governor Harrison to that effect.³⁶

When Illinois' governor R. J. Oglesby wrote a letter of introduction to Warren for John B. Hunter, Illinois shipper whose cattle had been quarantined in Cheyenne, he stated that there was no pleuro-pneumonia in the Illinois county from which the cattle were shipped. The Wyoming governor submitted this statement to Sturgis with a request for information.³⁷ In replying to Oglesby, after conferring with Sturgis, Warren wrote

I note with much satisfaction your statement: 'There is no pleuro-pneumonia in Sangamon County nor is there at the present time,' but I do not understand this to mean that there has been none; for, if the latter, Sangamon County has certainly been 'sinned against' and misrepresented. The 1884 report of the Bureau of Animal Industry names that county as being infected, and various other sources give that information.³⁸

Warren asked Oglesby to communicate with him when further information was available, and in October the Illinois governor sent to Cheyenne a Report of the Board of Livestock Commissioners for the State of Illinois wherein detailed data on cattle disease within Illinois were presented. Warren wrote Oglesby, "I have submitted the report to the Executive Committee of the Stock Growers' Association for their consideration and advice. As nearly one-third of all taxable property in Wyoming consists of cattle, I desire to confer fully with the direct representatives of that industry."³⁹ After receiving the report of the committee, Governor Warren issued a proclamation on October 20, 1885, relieving the state of Illinois, with the exception of DuPage County, from quarantine regulations. All shipments of cattle from that state, however, were to continue to be inspected in Cheyenne according to the rules and regulations established for all stock shipped from east of the Missouri River.⁴⁰

The Veterinarian of the state of Missouri wrote Warren in June requesting detailed information concerning the effect of the Wyoming quarantine law on stock shipments from Missouri. Warren forwarded all of his proclamations to the vet-

36. Warren to Harrison, June 5, 1885. The original proclamation of June 4, 1885, is in The Interior Department Records, The National Archives.

37. Warren to Sturgis, June 3, 1885.

38. Warren to Oglesby, June 6, 1885.

39. Warren to Oglesby, October 19, 1885.

40. The original proclamation is in the Department of the Interior Records, The National Archives.

erinarian with the statement that they contained "all the information necessary." He wrote further

All cattle from Missouri are subject to quarantine; this for the reason that according to the best opinions obtainable, your state has been affected with Pleuro-Pneumonia, in certain sections; and the authorities of the state seem to have failed to prevent the free traffic, transportation and movement of cattle, throughout the infected as well as the unaffected regions.

"I have endeavored in my official capacity," continued the governor, "as well as an owner of livestock in a private capacity to keep well informed of the methods of our quarantine regulations and practices here; and the best evidences that the duties of the officials have been conscientiously and honestly performed is that those whose cattle have been, or are now in quarantine, have no serious charges to prefer."⁴¹ The following month two herds of Missouri cattle being shipped to the Wyoming range were confined in the quarantine stockyards by the territorial veterinarian. Strobridge and Andrews, Wyoming cattlemen whose shipment of thirty bulls had been detained, protested immediately and requested Missouri's governor, John S. Marmaduke, to intercede in their behalf. Marmaduke wired Warren asking for the liberation of the cattle and the revocation of the prohibitions against Missouri cattle. The executive board of the Stock Growers' Association, meeting at Warren's call, denied the Missouri governor's requests.⁴² As a means of explanation, Warren wrote Marmaduke:

Our laws regarding this [quarantine] were enacted in obedience to universal desire and demand on the part of our people, for the reason that the largest and most important industry is that of cattle raising, and from the nature of our open ranges and our mode of handling cattle, the danger and exposure is very great. It is next to impossible to restrict the movements of cattle within our borders [and] in adjacent states and territories, where cattle movements are equally free. Should contagious Pleuro-Pneumonia break out within our borders it would surely cripple us most severely if it did not bankrupt the Territory. The causes that led to quarantine against Missouri cattle were the reports from various sources: official reports from the Department [of Agriculture] at Washington; reports from cattle associations; and from various veterinary inspectors to the effect that disease existed in that state.⁴³

41. Warren to P. Paguin, June 30, 1885.

42. Warren to Marmaduke, July 21 and 24, 1885.

43. Warren to Marmaduke, July 23, 1885.

After enumerating further specific sources of information relative to the spread of cattle diseases in Missouri and explaining the nature of pleuro-pneumonia and the failure of Missouri officials to adequately safeguard against it, Wyoming's governor explained to Marmaduke the importance of the Missouri-Wyoming cattle commerce.

I assure you in my opinion [wrote Warren] it is not the state of Missouri which suffers, as it is the Territory of Wyoming, from this stoppage of the shipment of cattle from Missouri to Wyoming. Our stockmen here, have since 1881, made heavy purchases of Missouri cattle, expending for them more than a million dollars, and we still want Missouri cattle, and there is still an opening for a very large trade in that direction, whenever we may feel assured that we may take no chances from trading with the stockmen of Missouri. Should the disease become fully extinct there, and should you be able to issue your proclamation declaring the state to be entirely free, and further that it has been free for a sufficient time to assure its non-appearance, then this Territory would be guaranteed against disease . . . and there would again be a renewal of trade advantageous to both this territory and the state of Missouri.⁴⁴

In closing his lengthy communication to the Missouri governor, Warren expressed a personal concern over the termination of the commerce in stock between Missouri and Wyoming by remarking

I beg to assure you in perfect candor that I will cooperate with you to remove all barriers at the earliest moment I can feel safe in so doing, and can satisfy the stockmen of our Territory that they will no longer be taking serious risks. . . . As we have an active and powerful association to assist in protecting the cattle interests, I am in constant communication with their executive committee, and feel in duty bound to assist them in all *reasonable* efforts to protect these great interests. I trust that Missouri will adopt such rules, and enact such laws as are necessary to protect herself and us in our future cattle commerce.⁴⁵

Immediately upon the receipt of this letter, Governor Marmaduke sent Colonel Robert McCulloch to Cheyenne to present the interests of the Missouri cattlemen before the executive committee of the Wyoming Stock Growers' Association. Mc-

44. *Ibid.*

45. *Ibid.*

Culloch's mission was apparently successful, for on August 7, 1885 Warren issued a proclamation revoking previous restrictions against Missouri cattle and permitting all but six Missouri counties to ship cattle into Wyoming. In forwarding copies of this proclamation to Governor Marmaduke, he expressed the desire to remove soon all restrictions against these remaining six counties.⁴⁶ Not until the next season, however, could the Missouri governor certify that pleuro-pneumonia did not exist within the state.⁴⁷ Warren immediately removed the last restriction on the cattle commerce between Wyoming and Missouri by proclamation.⁴⁸

During the summer of 1885 while the territorial veterinarian and his associates worked long hours at the stockyards inspecting cattle, the governor was answering dozens of inquiries which came to his office from interested shippers relative to the possibility of their consignment of cattle immediately passing the inspection. The greatest number of letters came from Iowa, Missouri, Kansas, and Illinois.⁴⁹ On occasions, the patience of the governor was strained to the breaking point. One Iowa cattleman inquired if all Jersey cattle were to be quarantined, and Warren wrote back emphatically, and perhaps impatiently, "I don't understand that *all Jersey* cattle are quarantined, but rather *all cattle coming from New Jersey*."⁵⁰ Warren received bitter protests from cattlemen west of Wyoming. General J. S. Brisbin, Vice-President of the National Cattle and Horse Association, wrote from Boise City, Idaho, suggesting that there existed no basis for the alarm about the spread of disease in Wyoming and stated that the Wyoming stockgrowers were "more scared than hurt." He complained that it was very difficult for cattlemen who believed their stock to be healthy to accept their detention for inspection and that the method of inspection in Cheyenne worked a great hardship upon some individual shippers. In answering the general, Governor Warren recognized these criticisms as valid, but very tactfully explained the necessity for stringent measures and his unwillingness to deviate from them in any case.⁵¹ The correspondence and reports of Warren reveal the significant contribution which he made in en-

46. Warren to Marmaduke, August 7, 1885.

47. Warren to Marmaduke, July 27, 1886.

48. S. B. Tuttle to Marmaduke, July 28, 1886. Tuttle was Warren's private secretary.

49. For example, letters from R. A. Poney, St. Louis, Missouri, June 6, 1885; Levi F. McConnor, Wilber, Kansas, June 11, 1885; George S. Elwood, Greenleaf, Kansas, June 19, 1885; J. N. Smith, Fairfield, Iowa, June 18, 1885; Howard Jones, Fort Dodge, Iowa, June 23, 1885; and W. W. Bryan, Abingdon, Illinois, June 18, 1885.

50. Warren to Gideon Blackstone, Red Oak, Iowa, May 23, 1885.

51. Warren to Brisbin, June 30, 1885.

forcing the Wyoming quarantine regulations. During his first term he gradually had become the spokesman, rather than the representative, of the executive committee of the Wyoming Stock Growers' Association which was meeting every week during the shipping season of 1885 to consider the welfare of the cattle interests of the territory.

During 1885, 52,791 head of cattle were brought into Wyoming Territory from seventeen states and Canada. Of these, 9,964 head were imported from Texas and 15,170 from the nearby New Mexico and Indian Territories. None of these southern shipments were detained. Only eight herds, totaling 485 head from Illinois and Missouri, were quarantined during the entire season. The inspection of stock from the region east of the Missouri had been so thorough, nevertheless, that the veterinarian could report to the governor the non-existence of contagious disease among the cattle of Wyoming during 1885.⁵²

Not only had the stock of the Wyoming range been protected from disease, but the inspection of shipments did not seriously disrupt or diminish the cattle commerce. Governor Warren reported that during the season of 1886 more than 50,000 head of cattle had arrived in the territory, and Hopkins, the veterinarian, wrote

The interruption to trade was therefore trifling, and the inconvenience to individuals far slighter than could have been anticipated, considering the volume of business transacted. The inconvenience and expense, such as it was, fell chiefly upon the residents of the Territory who were bringing valuable stock from the states east of the Missouri, and was felt by them generally to be a small burden for the immunity from danger thus secured.⁵³

Thomas Moonlight, who succeeded Warren as Governor of Wyoming, recognized the work of the stockgrowers in his report of 1887. "There is no State or Territory where animals are more healthy than in Wyoming," he stated, "and there is no State or Territory where more care is taken to prevent the introduction of contagious or infectious diseases among the domestic animals."⁵⁴

52. Hopkins, Report of the Territorial Veterinarian in the "Annual Report of the Governor of Wyoming, 1885," *loc. cit.*, 1210-1212.

53. Warren, "Report of the Governor of Wyoming," *Report of the Secretary of the Interior* (Washington, 1886), II, 1019-1020.

54. Moonlight, "Report of the Governor of Wyoming," *Report of the Secretary of the Interior* (Washington, 1887), I, 1061.

Wyoming Scrapbook

COMPANY "H" OF THE GIRL MILITIA OF WYOMING STATE GUARD, WHO TOOK PART IN THE STATEHOOD CELEBRATION JULY 23, 1890

Company "H" of the Girl Militia was actually mustered into the United States Army for the Wyoming Statehood celebration; they were disbanded after the celebration was over. They were drilled for two months, their drill masters being Lieutenants Walker and Ruhlen of Fort Russell. (Fort Francis E. Warren).

The second company of Girl Guards, Company "H" were the Guard of Honor to the Statehood car, a magnificent float carrying young girls dressed in red, white and blue representing the States in the Union, (except Wyoming and Idaho).

The members of Company "H" had an entertainment and dance to raise funds for their uniforms which were of black broadcloth with facing of gold cord draped in front. The cap was the regulation fatigue cap; they wore white gloves.

It was during this festival, Company "H" was mustered into the United States Army. Company "H" was under the command of Captain Argesheimer.

As far as can be ascertained, the only living members of Company "H" are Mrs. Osgood Johnson (Minnie Gape, No. 3); Miss Jennie Tupper (No. 5); Mrs. Walter Yeager (Mabel Tupper, No. 7); Mrs. Bertha Boomer (Bertha Wedemeyer, No. 9); Mrs. Leo L. Leffler (May Oakley, No. 14); Mrs. James Sweeney (Maude Post, No. 16); Mrs. Tom O'Neil (Mattie Thompson, No. 10); Mrs. Adah Boice (Adah Haygood, No. 17).

Miss Dora Adair and Miss Frankie Moore, members of Company "H" are not in the photograph.



1. Hattie Argeshimer, Captain; 2. Emma Schilling, First Sergeant; 3. Minnie Gape; 4. Gertrude Douglass; 5. Jennie Tupper; 6. Mamie Thompson; 7. Mabel Tupper; 8. LeVina Granger; 9. Bertha Wedemeyer; 10. Mattie Thompson; 11. Mamie Layden; 12. Gretchen Hermann; 13. Marcelline Ronleace; 14. May Oakley; 15. Minnie Thompson; 16. Maudie Post; 17. Adah Haygood, 2nd Sergeant; 18. Marie Wedemeyer; 19. Helen Furness, Lieutenant.

RAWLINS' CYCLING CLUBS OF THE GAY NINETIES

In the horse and buggy days, it was the fashion to organize cycling clubs, and Rawlins was not to be outdone.

In February, 1892, the Rawlins gentry organized "The Rawlins' Cycling Club of 1892." The members of the club are included in the photograph below:



From left to right: Bottom row: Chas. Batsford, Jas. A. Rendle, Thos. Rendle, Ernest L. Brown and Benjamin Knox.

Second row: E. E. Fordan, C. P. Hill, Ernest Sundin, A. McMicken and Chas. E. Brown.

Back row: H. B. Fetz, Thos. G. Maghee, Jr., W. E. Heckenlively, H. S. Brodt and Jas. M. Rumsey.

Mr. E. A. Durant of the Rawlins National Bank who has resided in Rawlins for the past 60 years, knew all the above men and has identified each member. They have all passed on.

Another Cycling Club was organized in 1897, the members from left to right in the photograph below, are: E. Durant, W. S. Anderson, H. Larsen, W. A. Heath, Richard Dailey, Ole Larsen, Frank E. Froling, Tom Ready and Snider. Two of these members, F. E. Froling and Bing Price (who is not in group above) are still with us and living in Rawlins.



The Rawlins' Cycling Club of 1897

BILL BARLOW'S BUDGET OFFICE, 1886, DOUGLAS, WYOMING

By D. C. Cook

The Douglas Budget, one of the oldest weekly newspapers in the State, was established as "Bill Barlow's Budget" at Fort Fetterman, eight miles northwest of the present site of Douglas, Wyoming, in June 1886, by Merris C. and Minnie F. Barrow, who came to Douglas from Laramie City where Mr. Barrow had served for a number of years on the Boomerang.

With the advent of the railroad coming into this part of the country, the Barrows moved from Fort Fetterman to the old temporary town of Douglas on Antelope Creek, on the north edge of present Douglas. It was only a few months, apparently, that these buildings (see cover of this issue) were moved a half mile or so to the present and permanent site of Douglas, as lots were being sold by the railroad company in August, 1886. It is reasonably certain that The Budget has been in its present location since the latter part of 1886.

Mr. Barrow wrote under the pen name of "Bill Barlow." The Barrows published the paper until Mr. Barrow's death in 1910. Mrs. Barrow continued to hold controlling interest until January, 1914, but took no active part in the publishing of the paper, but leased the shop to others. Mrs. Minnie F. Barrow is still living making her home in Thermopolis, where she moved some twenty years ago.

During this period the flag-staff bore the following: Clyde L. Clark, editor and publisher in 1911; L. Merton Prill, editor and publisher, 1912 to March, 1913; from 1913 to January, 1914, Wm. F. Phlaeging was "Manager" for parties unknown; in January, 1914, the paper was purchased by A. A. Clough, Barrow's former shop foreman, and M. R. Collins.

The Budget was begun as a republican paper and remained such until 1914. Under the management of A. A. Clough and M. R. Collins it became a democratic paper. It has continued as such, and is still democratic under the present management.

In December 1914, the Budget was again sold to Thomas F. Doyle, of Omaha, who edited and published the paper until February 1938, when he passed away. Mr. Doyle changed the name from "Bill Barlow's Budget" to "The Douglas Budget" upon acquiring possession.

Three months later, Mrs. Doyle sold the Budget to D. C. Cook and George R. Curry, present publishers.

“THE BUDGET”***A Glance of the Office Wherein Is Printed
Fetterman's Pioneer Paper**

That The Budget has implicit confidence and an abiding faith in the future of Fetterman and Central Wyoming, is fully evidenced by the character of the establishment wherein the paper is printed. Every piece of machinery and material—every type, lead and rule—is direct from the well-known Chicago foundry of Marder & Luse, and never knew the stain of printer's ink until now. The paper is printed on a cylinder press of a capacity of 1000 an hour, and that the newspaper department is complete and first-class is evidenced by the bright, clean and typographically perfect pages which confront the reader. A fine job press, of an improved pattern—used yesterday for the first time—together with a select assortment of job type embracing all the latest faces and styles in plain and ornamental job letters, enables us to turn out on short notice everything in the line of commercial work, executed in a manner sure to please.

Thus it will be seen that The Budget is no foreign scheme, nor is it a catch-penny institution representing ninety-nine per cent of wind and gall and one of office material; but that it is a bonafide business venture calculated to become a prominent factor in building up, developing, and advancing the interests of Fetterman, the Platte valley and central Wyoming.

*(From the first issue of Bill Barlow's Budget, June 9, 1886, printed at Fetterman, Wyoming.)

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ACCESSIONS

to the

WYOMING HISTORICAL DEPARTMENT

January 1, 1944 to May 15, 1944

Miscellaneous Gifts

- Roddis, Mrs. Charles, 1725 Central Ave., Cheyenne, Wyoming—donor four letters of World War I.
- Schaedel, Mrs. John, 609 East 27th St., Cheyenne, Wyoming—donor of old clock (Seth Thomas).
- Forde, Thomas, 3806 Reed Ave., Cheyenne, Wyoming—donor of ten World War II emblems from the Italian and Sicilian fronts.
- Schmehl, Walter T., 400 S. 13th St., Laramie, Wyoming—donor of three copies of *Indian Paint Brush*, a Shoshone Indian Magazine; one copy of the Wyoming State Journal, July 4, 1938; one large 1857 souvenir medal given to an Indian Chief on visit to Washington, D. C.; one Camp Brown post traders 25c coin; one 1899 souvenir medal for international peace; one 1904 Frontier Days badge; one 1898 Omaha Exposition medal; one victory liberty loan coin made from a German cannon.
- Barry, J. Neilson, Portland, Oregon—donor of four maps and manuscripts depicting John Colter's travels in Yellowstone Park.
- Stock Growers' Association, Cheyenne, Wyoming—An agreement between Union Pacific R. R. and the Cheyenne and Northern Railway Company; ten newspaper clippings giving Territorial election returns (no dates).
- Cook, D. C., Douglas, Wyoming—donor of a photograph of "Budget Office, 1886."
- La Fontaine, Mrs. Robert, 2720 Capitol Ave., Cheyenne, Wyo.—donor of cap and coat of the Wyoming National Guard of the Spanish American War period.
- Allen, George W., 2505 Central Ave., Cheyenne, Wyo.—donor of three gold specimens from the Crescent Mine, Cripple Creek, Colorado.
- La Fontaine, Mrs. R. N., 2720 Capitol Ave., Cheyenne, Wyo.—donor of a cap and coat of the Wyoming National Guard of Spanish American war period; 25 personal cards of members of Battery "A"; photograph of Alger Light Artillery; two issues of "The Wave" magazine, June 25, July 28, 1898.

Books—Purchased

- Baber, D. F. *The Longest Rope*, Caldwell, Idaho. Caxton, 1940. \$1.33.

Gifts

- Morris, Robert C. *Collections of Wyoming Historical Society, 1897*, gift of Governor Lester C. Hunt.
- The World's Columbia Exposition, 1893*, gift of Mrs. Chas. Roddis.
- Burtscher, William J. *Man Afoot*, Los Angeles, California, Wetzel Publishing Co., c 1941.

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